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MINISTRY OF HEALTH

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MANUAL ON

UNFIT HOUSES AND

UNHEALTHY AREAS

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VOL. I

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POLICY & PRACTICE

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VOL. II

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# MINISTRY OF HEALTH.

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## MANUAL

ON

## UNFIT HOUSES

AND

## UNHEALTHY AREAS.

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### VOLUME I.

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### POLICY AND PRACTICE.



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VOLUME I

POLICY AND PRACTICE

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# VOLUME I.

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# MANUAL ON UNFIT HOUSES AND UNHEALTHY AREAS.

ISSUED BY THE MINISTRY OF HEALTH.

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## VOLUME I.

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### FIRST PART.—GENERAL CONSIDERATIONS.

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#### CHAPTER I.—INTRODUCTION.

1. New houses are urgently required in large numbers. Insanitary property also needs attention—in some cases to be wholly removed and replaced by good houses, in other cases, to be brought into proper condition. The Government programme provides for both necessities.

Financial assistance is available, not only for the new houses but also for slum clearances. For the two branches of duty laid on the Local Authorities, the burden on the local rates need not, subject to the conditions laid down in the regulations,\* exceed the produce of a penny rate. No Local Authority, therefore, can plead lack of resources for failure of duty.

2. The object of the present Manual is to give a general statement of the law with reference to unfit houses and unhealthy areas and of the policy to be adopted in administering it.

The Manual is intended primarily for the guidance of members and officials of Local Authorities ; but it is hoped that it will be of assistance also to the large number of other persons who are actively interested in the housing problem, as housing reform rests ultimately on a strong public opinion. A number of details have, therefore, been included even at the risk of inserting some matter which may appear elementary to those readers who have an expert knowledge of the subject.

3. The Manual comprises four Parts. The first part deals with the general policy to be adopted in regard to unfit houses and unhealthy areas and the central and regional organisation of the Ministry for dealing with this side of the housing problem. It also contains some general observations on the question of standards.

The second part relates to individual unfit houses as distinct from unhealthy areas. It discusses the principal defects which may be regarded as rendering a house unfit and the measures to be adopted by local authorities in dealing with unfit houses.

The third part relates to unhealthy areas. It indicates the types of area for which improvement schemes should be made, and what may be effected by such schemes ; discusses the methods of using the cleared area and of providing any necessary housing accommodation for persons displaced, and contains some observations on the management of property. It also explains the provisions as to financial assistance in respect of improvement schemes. A number of plans are given which illustrate how unhealthy areas may be dealt with, and the kind of accommodation which may be provided on cleared sites.

The fourth part, which is in a separate volume, contains a summary of the principal statutory provisions in regard to unfit houses and unhealthy areas, suggestions as to procedure, and copies of various circulars, forms and orders.

4. Many of the problems dealt with in the present Manual are of extreme difficulty. Further experience may lead to the modification of some of the proposals now put forward, and therefore they are to be regarded as provisional. A special Committee is now considering the principles to be followed in dealing with slum areas.

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\* *The Housing (Assisted Scheme) Regulations, 1919.*



## CHAPTER II.—GENERAL POLICY.

1. It is proposed in this chapter to set out the general policy to be followed in dealing with unfit houses and unhealthy areas.

### Survey.

2. The first duty of the Local Authority will be to undertake a survey of their district. The report of the survey has to be made in the form which has already been sent to Local Authorities.

This form, duly completed, has to be sent to the Housing Commissioner of the Region not later than the 31st October next (that is, within three months of the passing of the Housing Act). It is fully recognised that the time is short for anything approaching an accurate and detailed survey, and that in many instances only estimates of some matters can be given. But care should be taken that estimates are reasonably adequate and are founded on as reliable and as broad a basis as possible.

3. Equally important is it that Local Authorities and their officials should not rest content with this first survey. The staff of the Local Authority should, as required by the Housing Acts (section 17(1)/09)\*, carry out a continuous survey of their district. The result should be periodically reported in a clear manner to the Local Authority, and a summary should be included in the annual report of the Medical Officer of Health. The report should include records of the incidence of disease and death in the different areas.

As an aid to the clear comprehension of the situation, it is suggested that the conditions should be shown by different colours on a large scale map of the district so that members of the Local Authority and others may readily see what are the circumstances of the district.

### Proposals to be submitted.

4. Having ascertained what conditions need to be remedied the next step is to prepare and to submit schemes for this purpose.

With the survey which is to be reported by the 31st October, the Local Authority are required to indicate their remedial proposals. They will not, however, be expected to submit these in more than broad outline. If they are in a position at this stage to forward detailed schemes, they should do so.

During the next nine months, however (that is before the 31st July, 1920), the Local Authority are expected to submit definite proposals for dealing with unfit houses and unhealthy areas in their district.

This should be done in three stages. In the three months ending the 31st January, 1920, definite proposals should be submitted for part of their area; during the next three months, definite proposals for another part; and during the succeeding three months (ending the 31st July, 1920) definite proposals for the remaining part. In this way, the Local Authority will be able to proceed with the work of preparation gradually, and the examination of the proposals by the Ministry's staff will be facilitated.

5. Detailed schemes need be submitted to the Ministry only for those parts of the Local Authority's proposals which require the Ministry's sanction. Thus the detailed proposals for dealing with unfit houses need not be communicated to the Ministry. On the other hand, schemes for slum clearances or any proposals involving the borrowing of money must be submitted.

To obtain the financial assistance which is available for slum clearances, Local Authorities must comply with the conditions, which are set out in chapter XI., page 23.

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\* For convenience of reference, the various Housing Acts are indicated simply by the year. Thus section 17(1)/09 means subsection (1) of section 17 of the Housing and Town Planning Act, &c., 1909. The Housing (Inspection of District) Regulations, 1910, are given in appendix I.



## Order in which measures should be undertaken.

6. The whole situation is conditioned by the shortage of houses. Generally speaking, therefore, Local Authorities should not undertake measures which involve turning persons out of their present houses, defective even though these may be, until new accommodation (houses or flats) is available, or unless temporary quarters can be provided for the displaced persons.

7. *Making houses fit.*—In view of present circumstances, the first problem to be attacked will as a rule be that of the houses which are now in bad condition but can be made reasonably fit without displacing the tenants. Consistently with securing this object, reasonable consideration should be paid to owners, both as to the time within which, and the manner in which, the necessary works are to be carried out, having regard to present conditions as regards labour and materials.

8. *Houses so unfit that they should be demolished.*—Until more houses are provided, it is impracticable to proceed otherwise than very cautiously with the demolition of houses. The utmost endeavour should be made to bring houses (even those which under other conditions would immediately be demolished) up to a tolerably good standard. The acceptance of a lower standard than would otherwise be desirable must be frankly adopted as a temporary measure. When the pressing shortage of accommodation of the present time has been met (and the poor housing which has to be temporarily accepted should provide an incentive to speedy action), the demolition of unsatisfactory houses can be undertaken with general advantage.

9. *Improvement of unhealthy areas.*—Even before the stage is reached at which the demolition of individual unfit houses on a large scale can safely be undertaken, it may be found practicable to deal with some slum areas by schemes of improvement, by pulling down houses here and there so as to obtain better ventilation and more open space, as distinct from comprehensive clearance schemes, where all the houses in an area, or a substantial part of an area, are demolished.

In some districts, there may be a number of slum areas which lend themselves to this treatment (the matter is dealt with at more length in chapter VII., page 17); and it may be advantageous to adopt it, because, at the cost of comparatively little displacement (for which special provision should be possible), the conditions may be much improved over a considerable area.

10. *Clearance of unhealthy areas.*—Because of the displacement of families involved, it may not generally be practicable immediately to carry out large schemes of slum clearances.

The Local Authority should, however, as already indicated, lose no time in formulating their schemes, which can then be carried out gradually, new accommodation, which in some cases may be special temporary accommodation, being provided, where necessary, before demolition takes place. It has to be remembered also that under the existing regulations, in order that financial assistance may be received, a Local Authority must have made "reasonable progress" by the 31st July, 1921.

Local Authorities would be well advised to prepare at the earliest date a comprehensive programme, which might at first be in outline, for dealing with their slums. The programme should classify the slums according to the manner in which they could best be dealt with, and should indicate the order in which they should be treated.

## Buildings of national interest.

11. Local Authorities should give special consideration to any buildings which, for historical, æsthetic or other reasons, it may be in the national interest to preserve.\*

## Policy subject to local conditions.

12. The foregoing statement of policy is based on the conditions generally prevailing in the country. It is governed by the present grave shortage of houses.

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\* The Society for the Protection of Ancient Buildings will be glad to give advice in this respect. Their publication "Report as to Treatment of Old Cottages" will be found helpful.



That shortage must be made good with the utmost despatch in order that there may be no delay in dealing with the not less grave problem of insanitary property. The Government are not prepared to subsidise remedial schemes except where such energy and despatch is shown in their adoption and fulfilment as is demanded by the interests of the nation. Where in any case local conditions permit at an early stage of more comprehensive measures than those which have been sketched for dealing with unfit houses and unhealthy areas those measures must be adopted.

### **CHAPTER III.—CENTRAL AND REGIONAL ORGANISATION.**

1. The housing problem is one, and all parts have to be considered in close connection one with another. At the same time the problem of dealing with insanitary houses and insanitary areas presents many special questions, and special arrangements have been made to deal with it.

#### **Regional Staff.**

2. As in the case of the provision of new houses, it is proposed to devolve as much of the detailed work as possible on the regional staffs. The general responsibility for the work will rest in each Region with the Housing Commissioner, who is assisted by a Deputy Commissioner.

These officials are assisted by a staff of inspectors, whose business it will be to make any detailed investigations which may prove to be necessary.

For the medical advice which is required for dealing with unfit houses and unhealthy areas, it is proposed for the present to rely largely on the County Medical Officers of Health so far as areas within the administrative counties are concerned. A copy of a letter which has been sent to County Councils on this subject is given in appendix II; as will be manifest from the letter, it is **not** intended that the independent responsibility of the Local Authority and their officers in the matter of housing shall be in any way reduced.

#### **To whom Local Authorities may apply for information and assistance.**

3. With the exception mentioned later, it is intended that, generally, Local Authorities shall deal with the regional staff in matters relating to insanitary houses and unhealthy areas just as they do with regard to the provision of new houses. The staff is instructed to give the fullest assistance to the Local Authorities in the arduous duties which have been committed to them, and the Minister hopes that Local Authorities will not fail to take full advantage of this offer.

In so far as staff is available the Minister is willing that inspectors on the regional staff shall in special cases be placed at the disposal of Local Authorities for a short time in order to carry out detailed investigations which may be necessary.

It is the wish of the Minister that matters should be dealt with, wherever possible, by personal conferences, in order to secure the utmost despatch.

#### **Appeals and inquiries regarding unfit houses and unhealthy areas.**

4. The Ministry have to exercise functions of a judicial nature in deciding appeals against, for instance, closing orders or demolition orders, and also in deciding whether an Authority is warranted in treating an area as an unhealthy one under Part I. or Part II. of the Act of 1890.

It is contemplated that for the present, at least, these functions shall be carried out at Headquarters, and communications relating to these matters should, therefore, be addressed to the Ministry and not to the Housing Commissioner for the Region.

The local inquiries will be held by Inspectors from Headquarters who will report directly to the Ministry.



## CHAPTER IV.—GENERAL STANDARDS.

1. It is necessary to distinguish two different standards in regard to housing accommodation. There is what may be termed the standard of mere fitness which implies only that a house is free from any defects such as can be regarded as rendering it unfit for habitation. There is also a higher standard which may be termed the standard of amenity which implies that the house is not only free from defects such as those mentioned, but has advantages and amenities which tend to promote to the full a healthy and contented home life. The distinction may be regarded as being between what is essential and what is desirable.

A standard of the latter kind has been set up in the Manual already issued in connection with the erection of new dwellings under Part III schemes; Local Authorities in replanning and reconstructing cleared areas and providing new accommodation for persons displaced will find it useful to refer to that Manual. In certain cases, as is explained more fully later, it may be justifiable to rehouse on a cleared site a larger number of persons than would be considered desirable in an entirely new housing scheme, but the Local Authority should in any event aim at securing as much amenity in the re-planning as the circumstances will reasonably permit.

2. In dealing with existing houses, while the higher standard of amenity should be kept in view, Local Authorities are concerned chiefly with the question of fitness for habitation. It is their duty to see that every working class house which is not in all respects reasonably fit for habitation shall, if possible, be rendered fit.

The standard to be secured and the particular defects with which to deal are considered in detail in the next chapter.

The general attainment even of a satisfactory standard of fitness can only be gradual owing to the large number of dwellings in many districts which fall below it. While the present abnormal conditions last, and until the present serious shortage of houses is remedied, there will, as mentioned in Chapter II, be special need for discretion in enforcing the standard, and the difficulties of owners of houses must not be over-looked. Local Authorities should not, however, regard these circumstances as other than a passing phase. They must strive to remove, as quickly as possible, the present obstacles, particularly the shortage of houses, to the enforcement of a proper standard of housing, so that in a few years all the dwellings in their district may be brought up to a good standard.

3. The particular circumstances of a house may have to be considered in deciding how high a standard it will be wise to demand.

Thus, in the case of a house which, though not well adapted to its present use (for example, a single family house now used for tenements), is nevertheless not likely to require early demolition, and is not in an area which will soon require clearance or re-planning, the Local Authority will seek to secure that the best is made of the house that the existing state of the structure will permit.

On the other hand, where a house is in such a condition that within a few years it will probably have to be demolished, or is in an area which will soon have to be cleared or re-planned, large repairs or alterations of a permanent nature are likely to be inexpedient, and it may be well to accept such work as will make the house habitable for the time being. It would be unwise to require now heavy expenditure which shortly might itself be a hindrance to a more thorough treatment of the bad conditions.

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## SECOND PART.—MEASURES: UNFIT HOUSES

### CHAPTER V.—STANDARDS OF FITNESS.

#### Conditions in fit houses.

1. In this chapter a standard of fitness is indicated which should be regarded as the minimum in connection with existing houses. It is not suggested that the full and universal enforcement of the standard is immediately practicable at the present time. On this point reference should be made to what is said in chapter II., page 7, as to the temporary acceptance in some cases of lower standards. Nor is it suggested that a house which is deficient in respect of one or more of the matters mentioned would necessarily be in a state which would justify the making of a closing order. From this point of view it will be observed that the matters mentioned are of varying importance, those mentioned in the earlier paragraphs being generally the more essential. It will be obvious, of course, that the seriousness of any particular defect may be much greater if that defect is accompanied by others.

A fit house should be:—

- (1) free from serious dampness;
  - (2) satisfactorily lighted and ventilated;
  - (3) properly drained and provided with adequate sanitary conveniences, and with a sink and suitable arrangements for disposing of slop water; and
  - (4) in good general repair;
- and should have
- (5) a satisfactory water supply;
  - (6) adequate washing accommodation;
  - (7) adequate facilities for preparing and cooking food; and
  - (8) a well-ventilated store for food.

#### Dampness.

2. Dampness is one of the most frequent and serious defects in unfit houses. In judging of the seriousness in any particular case, it is necessary to consider the extent and degree, the duration and the causes of the dampness.

As to the extent and degree, a slight amount may not in itself be serious. Small patches of damp from a defective window-head, sill, or rain-water pipe, or from a specially exposed angle or from a weak spot in the roof, while calling for repair would not be enough to render the house unfit.

As to the duration, dampness may arise only during quite exceptional weather conditions, due possibly to some slight defect in the structure which can be readily remedied. Extensive dampness may also be produced occasionally by condensation, as when a rapid rise of temperature accompanied by moisture-laden air follows upon a prolonged frost. This dampness, however, is temporary, and should dry out in a short time. When inspecting houses in the winter this cause of damp walls must be taken into account.

An important matter to be considered is whether the dampness is of a progressive kind, gradually increasing in extent and degree. Dampness of walls and floors due to moisture rising from the ground owing to the absence of a damp-proof course or of sub-soil drainage or coming through from ground banked against the walls must be regarded as serious. Porous walls are another cause of serious dampness.

#### Lighting and Ventilation.

3. It is essential that living rooms should not be so dark in ordinary daylight as to hinder domestic work without artificial light and to make it difficult to see whether the rooms are clean.

For proper ventilation two conditions have to be fulfilled—(a) there should be space outside the dwelling which allows for at least moderate circulation of air; and (b) there should be fairly good means for the circulation of air through the



dwelling, particularly through the living rooms and bedrooms. There should be in each of these rooms a window which can be opened and also another inlet or outlet for air, such as a chimney or a ventilator.

A window, one-half of which will open to the top, of about one-tenth of the floor space of the room is the recognised standard of what is required for light and ventilation, though it will not be practicable always to obtain this standard at present. Where the conditions are specially favourable (such as good direct sunlight, and plenty of open space in front of the window), a smaller window may suffice, and local conditions must, therefore, always be considered.

In connection with ventilation, questions arise particularly as regards back-to-back houses. Conditions vary very largely, and it is not practicable to lay down any general rule; each house must be treated on its own merits. It has to be remembered, however, that defects such as dampness may be rendered more serious by the drawbacks generally incidental to a back-to-back house.

### Sanitary Conveniences and Drainage.

4. The importance for health that the drains should be maintained in proper condition needs no emphasis. Defects should, as in the past, be dealt with by drawing the attention of owners to them, or, where necessary, by notices to repair or reconstruct.

As regards sanitary conveniences, there should be a readily accessible water or earth closet, particular care being needed in the latter case to make sure that the earth closet does not at times get into such a state as to be a danger to health.

Every house should, where practicable, have separate closet accommodation, and it is desirable that where a sufficient supply of water is available and it is practicable to provide satisfactory means of drainage, it should be provided with a water closet.

There should be a sink in order to prevent the contamination of the floor or walls and the arising of conditions leading to dampness. There should generally be a proper drain for taking off the slop water; and sufficient paving around any gully into which slop water discharges to prevent the pollution of the ground.

### Water Supply.

5. As regards water supply, the conditions in town and country differ materially. In either case, it is the duty of the Local Authority to make sure that a sufficient supply of wholesome water is available. Where there is a piped supply with a storage tank on the premises, danger to health not infrequently arises from lack of care in protecting and in cleansing the tank, and this matter requires special attention. The provision of a tap on the supply pipe so that water for drinking can be drawn directly from that pipe and not through a cistern in the house is the better plan.

Where practicable, each house should have a separate and internal supply of water. Where the water has to be fetched from outside for general use, whether from a well or from an outside tap, bad conditions may arise in some cases because of the labour in fetching a sufficient supply of water. Another matter which also should be looked after in these cases is that the access to, and general conditions around the water supply, whether well or tap, are reasonably good—for instance, not muddy or foul.

### General Repair.

6. The following is a list of common defects:—

*Paving to yards.*—Broken or defective—causing pools to accumulate.

*Roofs.*—Tiles or slates loose or broken; flashings, defective or perished; eaves, gutters or rain water pipes defective or broken.

*Walls.*—Defective pointing allowing damp to strike through. Defective external plaster peeling off in patches or allowing wet to accumulate at the back of the plaster. Damp-proof course cracked, perished, or otherwise become ineffective; ground banked up above the level of the damp-proof course, causing dampness in the walls. Defective internal plaster, badly cracked or breaking off in patches or soft; dirty or loose wall papers.



*Ceilings.*—Plaster badly cracked, loose, falling off in patches, or dirty or sodden with filth.

*Floors.*—Broken, cracked, too thin to be safe or so rough as to be very difficult to keep clean ; defective hearths or ash holes.

*Stairs.*—Broken treads or risers, or broken handrails or balusters. Want of handrails or balusters.

*Windows.*—Perished or rotted frames or sashes ; broken hinges, cords or window fasteners.

*Doors.*—Doors so swollen or warped that they will not shut properly ; broken hinges or fasteners.

*Ventilators or flues.*—Stopped up or broken.

*Cupboards.*—Insufficient or defective.

*Grates, stoves or ranges.*—Broken, badly set or wanting setting ; ovens, boilers or hot plates cracked ; fire-bars missing.

Minor defects may not cause more than inconvenience, but should, nevertheless, be put right ; on the other hand, the cumulative effect of small defects may become serious.

Owners of property sometimes overlook the fact that small defects, if dealt with promptly, may be repaired at slight cost, whereas, if neglected, they may cause serious unfitness and become expensive to remedy.

### Other Conditions.

7. There must be means for temporarily storing waste pending its removal. There will be obvious danger to health if night soil or refuse are disposed of, or temporarily stored, in so unsatisfactory a way that noxious odours penetrate into the house or a plague of flies is produced.

A well-ventilated store for food, on the north or east side of the dwelling where practicable, is desirable. Provision should be made to secure that food can be properly protected from contamination by flies or dirt.

Cleanliness and freedom from vermin should be secured ; a house continuously and seriously infested with vermin may warrant a closing order.

## CHAPTER VI.—METHODS OF OPERATION.

### General Policy.

1. Local Authorities will, as a rule, find it advisable, before causing any formal notice to be served, to give to the owner an informal indication of any works or measures which they consider to be necessary.

Where the works required are extensive it may be expedient to arrange for a period of time within which they or various parts of them are to be carried out.

2. The owner may be helped not only by telling him what works are needed, but also, in suitable cases, by lending him money for carrying out the necessary works (sec. 22/19). It is to be noted, however, that the section allows of the loan of money only when the works amount to reconstruction, enlargement or improvement ; it does not authorise the loan of money for ordinary maintenance repairs.

Where a loan is made, the Local Authority should (1) obtain reasonable security for it ; (2) arrange for its repayment, preferably by instalments, within a period well within the time for which the repairs will last ; (3) charge a reasonable rate of interest. Repayment of capital should be required not less often than half-yearly ; in some instances monthly instalments may be advisable. While generally loans should be made only where the expenses are of a substantial amount, it may be expedient, and fair, where the owner is a person of small means, to allow a loan even when the amount is comparatively small. Local Authorities should usually not require to borrow for these loans ; but, should they wish to do so in exceptional cases, application must be made to the Ministry in accordance with the instructions printed on page 30.



3. Where statutory notices have to be issued for repairs it will often be found more convenient to proceed under the Public Health or similar Acts, rather than under the Housing Acts. In particular, since proceedings under the Housing Acts are directed towards the fitness of houses for human habitation, some defects which may not closely affect the habitable fitness of a house may be better dealt with under the Public Health Acts.

Details are given in the following paragraphs of procedure under the Housing Acts. It will be understood that in certain cases the procedure laid down must be followed—for example, where forms of notices have been prescribed, these must be used; and where a minimum time limit has been laid down by statute, at least that period must be allowed in any notice. In other cases the procedure is suggested as a convenient one to follow.

### **Power to require repairs.**

4. Under section 15 of the Act of 1909 repairs can be required to houses let below certain rentals after the passing of that Act (3rd December, 1909).

The section is still in force, and in any proceedings under it, the forms prescribed by the order of the Local Government Board, dated the 11th January, 1910, must be used.

For practical purposes, however, this section is superseded by section 28 of the Act of 1919 which likewise gives powers to require repairs, and applies to any working-class dwelling, regardless of the rent or the date at which it was let.

The repairs which may be required under this section are such as are necessary in order to render the dwelling house fit for human habitation. It is not necessary, however, before an order for repairs can be issued, that the house should be in a state so dangerous or injurious to health that a closing order would be justified.

5. A notice under Section 28 of the Act requiring the execution of any works must be in the prescribed form (see page 65, Vol. II). The works required must be specified. At least 21 days must be given in the notice within which the works are to be executed; the time should, of course, be longer where necessary.

If it is found that the works have not been executed within the time, and that due measures are not being taken to have them carried out, it will generally be expedient for the officer concerned to warn the owner that his failure will now be reported to the Local Authority (in practice to the appropriate Committee) for their instructions.

### **Notice by owner of intention to close.**

6. The owner has 21 days within which to give notice, which must be a written notice in the prescribed form (see page 66, Vol. II), of his intention to close the house rather than to carry out the necessary repairs. He can avail himself of the alternative to close only if the house is not capable, *without reconstruction*, of being rendered fit for human habitation.

If the Local Authority are satisfied that “reconstruction” is necessary to render the house fit, then the notice to close has the same effect as if a closing order had been issued in respect of the house and had become operative.

7. Questions will arise as to the meaning of reconstruction. It may be taken to include any repair of a substantial nature involving structural alteration. Ordinary maintenance repairs cannot be regarded as “reconstruction.”

If the Local Authority hold that “reconstruction” is not required and the owner still contends that it is, the difference is to be decided by the Minister of Health.

If the Minister decides in favour of the owner, the notice to close then becomes effective. If he decides against him, and the owner then fails within 21 days to carry out the necessary repairs, the Local Authority can proceed to do the work required.



### **Execution of works.**

8. Information is given in chapter XIV, vol. II, of the powers of the Local Authority to execute works. Before proceeding to do so, they should send the owner notice of their intention and of the time when they propose to commence. The occupier of the house should also be notified.

As to the recovery of costs from the owner, the Local Authority should give reasonable time for payment, bearing particularly in mind the circumstances of the owner of the house, who may often be a person of small means.

Summary proceedings to recover expenses or instalments should be undertaken only after other measures have failed, but should not be shirked when necessary and proper.

### **Making a Closing Order.**

9. First comes the report to the Local Authority (that is, to the appropriate Committee) after inspection by the responsible official. This report should contain an exact record of the conditions existing at the time of the inspection. The issue of a closing order should be contemplated only where other less formidable measures for remedying defects have failed or are likely to prove ineffective, or where it is not likely that the house can be rendered fit, or where there are other exceptional circumstances. As already mentioned, while the present acute shortage of accommodation continues, a prudent discretion must be exercised in issuing closing orders.

A closing order must be made by the Local Authority under seal. A new form of closing order and of the notice of the closing order have been prescribed (pages 68 and 69, vol. II.)

When the order has been made, notice of it, with a copy of the order, must forthwith be sent to every owner of the house.

While there is no statutory obligation on the Local Authority or their officers to state the repairs which are required to render the house fit, they should always proceed from the standpoint that ordinarily they should give as much help as possible to the owners of property towards securing good conditions; and it is well that they should be willing to give the owners, in broad outline at least, an indication of the works which are required. If they, or their officers, feel that the condition of the house is such that it cannot be rendered fit, they would do well, without prejudice to their later action, to let the owner know their view.

### **Right of Appeal.**

10. Any owner may appeal to the Minister of Health against a closing order within 14 days after notice of it is served on him. The appeal must be in the prescribed form (page 71, vol. II). Before deciding an appeal, the Ministry will ordinarily hold a local inquiry, at which the owner and the Local Authority can state their case.

The Minister can and usually does require the costs of the inquiry to be borne by the unsuccessful party, or, where the circumstances warrant it, by both parties in such proportions as appear to him to be equitable. He can also require a deposit of £10 to be made before he entertains an appeal. These provisions apply also to appeals against a refusal to determine a closing order and against a demolition order.

### **As to adequacy of works.**

11. When works have been executed, a report should be made by the competent officer to the Local Authority, and the latter should then determine or refuse to determine the closing order as seems to them fit, bearing in mind what has been said in chapter IV as to standards.

Where they refuse an application to determine the closing order, notice in the prescribed form (see page 74, vol. II) should at once be given to the owner. He has 14 days within which to appeal to the Minister and to show cause why the order should be determined. A form has been prescribed for the appeal (page 76, vol. II).



### **Failure to render house fit.**

12. A closing order becomes operative 14 days after notice is served on the owner, if there is no appeal—or, in the case of an appeal which is decided against the owner, when the appeal has been so decided. Every reasonable opportunity should still be given to the owner to render the house fit if he is willing to do so.

It may sometimes be found necessary to obtain an order of a court of summary jurisdiction before occupiers can be removed from houses for which closing orders have become operative. The present shortage of accommodation must, of course, always be borne in mind in this matter.

As regards any report by an officer on a house, it is well that the officer should inspect the house as near as possible to the time when the case will be considered by the Committee in order that the latter may have the latest information before them; in urban areas it may generally be possible that the inspection shall take place on the day on which the Committee meet, or on the previous day.

### **Demolition Orders.**

13. Where the question is to be considered of demolishing a house in respect of which a closing order is operative, notice has to be sent to every owner in the prescribed form (page 77, vol. II), and any owner has the right to be heard before the case is decided.

At this stage again, before a demolition order is made effective, the Local Authority can give the owner a still further opportunity of rendering the house fit, and, if he undertakes to do so, they should usually afford him the opportunity.

Forms have been prescribed of the order for demolition, of the notice of the order, and of appeal to the Minister of Health (pages 78 and 80, vol. II). On an appeal the Minister may, on the application of the owner, make an order allowing the building, instead of being demolished, to be used for some purpose other than as a dwelling house (secs. 18 and 39/09).

### **“Owner.”**

14. It should be observed that notices under section 28/19 requiring works are to be served on the owner as defined in the Public Health Acts, that is, the person who receives the rack rent, whether on his own account or as agent or trustee for any other person, or who would receive it if the premises were let at a rack rent.

In the case of closing and demolition orders, on the other hand, notices have to be served on every owner within the meaning of the Lands Clauses Acts, that is, in substance, every person having power to sell and convey any interest in the property, and on all lessees and mortgagees, except persons holding or entitled to the rents and profits of the property [under a lease of which the original term is less than 21 years (sec. 49/09).

In some cases there may be doubt, after diligent inquiry has been made, whether all the “owners,” as so defined, have been ascertained; and in these cases, to remove any question whether every owner has been notified, it would be well that a notice, addressed to every owner, should be left with the occupier of the house, or, if the premises are empty, should be put up on some conspicuous part of the house; this proceeding should be in addition to the individual service of notices on each known owner.

Notice served upon the agent of an owner is to be deemed to be notice to the owner (sec. 49/90).

### **Houses let in separate tenements.**

15. Houses built for single families but now let in separate tenements without having been specially adapted for that purpose—sometimes known as “made-down” houses—will require special attention. During the present shortage, conditions undoubtedly unsatisfactory may have to be tolerated in houses already let in tenements; but endeavour should be made to secure as much improvement as is reasonably possible, particular care being directed to those conditions likely to be most injurious to health.

Local Authorities should as soon as possible take into consideration the additional powers conferred on them to make byelaws as to houses let in lodgings or occupied by members of more than one family (see page 39, vol. II), and prepare and submit to the Ministry in draft any proposed new byelaws. A revised model form of byelaws will be found in appendix VI, vol. II, page 87.



### THIRD PART.—MEASURES: UNHEALTHY AREAS.

#### CHAPTER VII.—SCOPE OF IMPROVEMENT SCHEMES.

##### What areas may be regarded as unhealthy.

1. The terms of the Act of 1890 are wide. An area is unhealthy because of defects of planning (narrow streets, congested buildings, &c.) or because of defects in the individual houses (structural shortcomings, want of sanitary conveniences, &c.); the best way of remedying these defects is by an improvement scheme for the area—where these conditions prevail, the making of an improvement scheme under Part I or Part II of the Act of 1890 is justified.

Definite evidence is desirable as to the unhealthiness of an area with which it is proposed to deal; and the sanitary records for the area at the disposal of the Medical Officer of Health should help to afford the necessary information.

2. As stated above, the defects may be those of bad planning (congestion of buildings or bad planning resulting in defective ventilation, want of open space and the like) or defects in the houses themselves.

Generally, the two conditions will go together. When the defects are almost wholly in the houses themselves, the presumption may arise that the case is one in which the houses should be dealt with individually, by requiring repairs, by closing orders, and, where necessary, demolition.

It is a mistake, however, to think that simply because there are no serious defects of site planning (such as narrow streets and the like) that the area is not one to be dealt with as unhealthy. If, in fact, most of the houses in the area are such that they ought to be demolished, the proper course is to undertake an improvement scheme.

3. The general policy to be adopted as regards the clearance of unhealthy areas has been indicated in chapter II, page 6. As there stated, the Local Authority should formulate a comprehensive programme for dealing with these areas, a programme which may be carried out by stages. As a rule, clearances must, for the present, be undertaken gradually, so as to avoid any serious de-housing. A part of the area should be cleared, and rebuilding undertaken on that part, if to be used for re-housing; afterwards the next part of the area can be cleared and rebuilt; and so on.

##### Temporary accommodation for displaced persons.

4. If permanent accommodation is not available for the persons to be displaced by a clearance, special temporary accommodation should, if necessary, be provided.

The experience during the war showed that it is practicable to do much in this direction. A few huts may be provided in some cases for this emergency. In other cases, empty houses or other buildings, may be converted, without excessive cost, into temporary quarters.

In some instances, where there may be difficulties in providing additional quarters for families, special accommodation may be made for single persons, or persons in similar position, of the same sex.

The Ministry would be willing, in any case where need was shown, to consider any temporary accommodation of this kind with a view to the inclusion of the expenses in the claims for financial assistance in respect of housing.



### **Improvement schemes should be comprehensive.**

5. Local Authorities should aim at more than mere patchwork proposals in preparing any improvement scheme. To make a scheme efficient, the Local Authority may include lands adjoining the unhealthy area even though the buildings on those lands cannot be regarded as unhealthy.

Measures for rendering a scheme "efficient" include such as are necessary in order to secure good planning of the site or to obtain reasonable amenities. Included also are any measures essential for bringing the planning of the area into line with any general town plan which has been laid down for the district. It should, however, be understood that a scheme for dealing with an unhealthy area cannot be used for any general acquisition of property going quite beyond what should be the real purpose of the scheme. It is advisable for a Local Authority to consult the Regional Commissioner before elaborating the details of a proposed improvement scheme.

### **Town Planning to be considered.**

6. Slum clearances are likely at best to be costly. Unwise indeed, therefore, were it to undertake them without having regard to the future and fundamental needs of the town or district.

It should be a truism that no large cleared area should be replanned without having in mind what is to be the future development of the town—where the big main roads are to run, where are to be the business quarters, where the factories, where the residential quarters, where the parks and playgrounds. Towns change; any large alterations should be in accord with the gradual growth, otherwise it may be found, years hence, that costly expenditure now has become a serious hindrance to the then urgent needs of the town.

For these reasons, and for others, Local Authorities are strongly counselled to have before them a plan, in broad outline at least, of the future development of the town before they undertake any large scheme of improvement; delay need not be, and should not be, incurred.

### **Partial clearance schemes.**

7. There may be some unhealthy areas which can be dealt with, for the time being at least, by improvement schemes under which only a small proportion of the houses are pulled down, here and there, to improve ventilation and to secure more open space, while the remaining houses are, where necessary, put into better condition.

It may seem contradictory that a Local Authority should acquire an area as unhealthy and then not proceed to demolish the buildings, but to use them for dwellings. There is, however, no contradiction. The area as it stands is unhealthy. The most satisfactory way of dealing with it is by treating it as a whole, and by an improvement scheme for the whole. Houses are pulled down for the good of the area as a whole. With these betterments, added to improvements to the houses which remain, added also to better management (of which more will be said later), the unhealthiness of the area may be removed, and that without excessive cost.

8. The Ministry, therefore, suggest that Local Authorities should consider, particularly at this time of pressure, whether, in suitable cases, schemes of this type are advisable.

At the same time there should be no illusion on the matter. Schemes of this type are adapted only for certain kinds of areas, where there is not grave congestion of buildings and where the slum conditions are not of the most serious character. There must be clear evidence that, by such a scheme of partial clearance, the unhealthy character of the area will be removed.

In many cases, schemes may be adopted providing for the retention and repair of some houses as an intermediate measure. While fully recognising that the area cannot be treated with complete success except by wholesale clearance, yet, having regard to the present pressure of more urgent needs, it may be reasonable for the moment to be content with a scheme which will remove the graver ills, leaving the fuller remedy for a more convenient time.



## Arrangements with owners.

9. In some instances in the past, it has been possible to secure the opening up of congested areas or groups of buildings by arrangement with owners of property. An owner may agree with a Local Authority for the demolition of part of his property. He may benefit from the improvement of his other property in consequence of the demolition. The Local Authority also can bring pressure to bear on him, and rightly so, by the action which they can take as regards his property if the desired improvements are not undertaken.

One advantage of proceeding by agreement is that improvements may be effected with despatch. It is true that the area affected by any one arrangement of this kind may, generally, be small; but a number of cases may be undertaken at the same time or immediately after one another, and the total improvements effected may be large.

## CHAPTER VIII.—USE OF CLEARED SITES.\*

1. There are four principal uses to which a cleared site may be put, for rehousing, for factory purposes, for other business premises, or as an open space. In many cases there will be advantages in using a site for two or more purposes.

The considerations which should determine the use of a cleared site are dealt with in the following sections. It is necessary to bear in mind that the price to be paid for the site will be reduced if it is used for re-housing or as an open space.

It is necessary also to have regard not simply to the requirements of the area itself but of the district in general. While due regard should be paid to the needs and wishes of displaced persons and to what they may reasonably expect in the way of new housing accommodation, the first consideration must be the needs of the town as a whole. For this reason, it is most important, as already indicated, to have in mind, at least in broad outline, a plan of the future development of the town.

In some cases there may be local interests which favour the use of the land for housing or some other particular purpose, but these local interests, if they conflict with what is for the general good of the district, should not be allowed to prevail.

The property to be demolished will probably be old. In the many years which will have passed since it was built the circumstances of the town will probably have changed considerably. Sites which then were good for houses may now have become valuable for business purposes.

### Use of Site for Business or Factory Premises.

2. If there is a large demand for the land and the prices which persons are prepared to pay for it are high, much beyond its housing price, there is a presumption that its value for industrial or commercial purposes is greater than its value for housing, and it will be necessary to consider whether the land should be used for one of these purposes.

Any presumption in favour of using the land otherwise than for housing needs to be qualified by the following considerations. In the first place, due regard must be paid to the needs of the displaced persons; this matter is dealt with in the next section. Secondly, whereas there may be an immediate demand for the use of the cleared site for business or factory purposes, the general tendency and ultimate intention may be that the particular area of which the site forms part shall not in the future be used for these purposes, the policy being to develop other areas where railway, water or other facilities may be greater for this purpose.

A third consideration, which is likely to apply only in very large towns, is that, where already there is serious traffic congestion between the central districts and the outlying parts, to add to the industrial or commercial premises in the centre at the expense of housing may render the passenger traffic more congested still unless adequate measures are taken for improving the facilities for transit.

\* This Chapter deals with matters which are being considered by a Committee (see page 5). It must, therefore, to some extent be regarded as provisional.



### Use for Rehousing.

3. If the site is in what is still mainly a residential quarter and likely to remain so, there will be little hesitation in using the site for rehousing. Attention should be directed to obtaining better planning of the site and better accommodation.

Where, however, the land would clearly be much more valuable for use for factory, or business purposes, generally its use for housing will be justified only if there are special reasons for this course, such as :—

Cases where there is not available other accommodation, or sites for accommodation, sufficiently accessible to enable persons to get to their work with moderate ease; this difficulty is not likely to arise elsewhere than in very large towns.

Cases where the displaced persons are employed near the area on some work which necessitates their attendance very early or very late or at odd times; the number of persons so circumstanced is not likely, as a rule, to be large.

In considering any case, the Local Authority should carefully enquire into the genuineness of claims that residence very near to the place of employment is essential. There is, not unnaturally, much reluctance on the part of those who have lived in an area for many years to move out of it; but, however much they may sympathise with this trait, which is certainly not without its laudable side, the Local Authority cannot afford to allow it to over-ride the general good.

In this connection, also, it has to be remembered that the shorter hours of work and, despite the unavoidable set-back caused by the war, the gradually improving transit facilities may strengthen the presumption against rehousing on the cleared sites, where there are manifest disadvantages in using the site for that purpose.

One objection to using a site in a congested area for rehousing is that the Local Authority may feel themselves unable to provide accommodation for the rehoused persons in self-contained cottages, but have to resort to the much less desirable tenement system. This matter is dealt with in the next chapter.

### Open Spaces.

4. In deciding whether any part of the cleared site should be used as an open space, it is necessary to keep in mind (a) the needs of the site itself, (b) the needs of the larger area of which the site forms part.

So far as the site is concerned, if any rehousing is undertaken, there must be a proper plan, which has to be approved by the Ministry; and a fair amount of open space, for playground or other purposes, will be required, and proportionately more demanded if there are tenement buildings.

A matter more likely to be overlooked is the need of the larger district, of which the site forms part. If that is a district of congested housing, with few open spaces or playgrounds, then there is strong reason for thinking that it will be to the general good if part of the cleared site is set aside to serve for the recreation needs of the district.

In congested areas where the majority of the houses have little or no garden ground attached to them, open space for various purposes is frequently the most pressing need. It is now generally recognised that the health and contentment of the population in districts of this kind will depend largely on the adequate provision of suitable open spaces. Some towns have been obliged to spend large sums in clearing sites of buildings to make playgrounds or other open spaces.

5. With regard to the area which may be served by open spaces, as a broad working rule it may be said that it is desirable in closely built areas that there should be a small playground, for the use particularly of young children, within about half a mile and a recreation ground of moderate size within about a mile of every dwelling. Experience shows that the use which will ordinarily be made by children of grounds beyond these distances is generally slight.

In addition to play places, it is of great advantage to provide small open spaces planted with grass, shrubs and trees, to give relief to the interminable expanse of streets and buildings. Some planting can generally be introduced also in connection with the play and recreation grounds.



Where larger open spaces cannot be provided, the relief which even a small garden or clump of trees can afford in areas such as those under consideration should not be lost sight of. The condition of these areas becomes very oppressive in hot weather and even small spaces where people can sit under trees will be a boon. The health of the inhabitants, as well as the amenity of the area, will be greatly improved by the provision of suitable open spaces.

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## CHAPTER IX.—REHOUSING.

### Self-Contained Cottage the General Rule.

1. In spite of the rapid development of large towns and urban centres, the self-contained cottage has continued in this country to be the customary means of housing to a much greater extent than characterises most other countries which have undergone similar development, and this comparative freedom from the tenement dwelling has been regarded with envy by those countries and cities which have had the misfortune to adopt the tenement system to any great extent. This advantage should be maintained, and this will be the normal policy of the Ministry.

Even where rehousing has to be carried out on the cleared area, and the cost of the land may have been considerable, it will be desirable to adopt the cottage dwelling. The fact that the adoption of tenements would allow a larger number of families to be placed on the site and reduce to some extent the cost of land per dwelling will generally not outweigh the disadvantages of the congestion of dwellings on the site.

2. Even where there are special reasons, such as have been indicated in the previous chapter, for rehousing a larger number of persons on the cleared site than would ordinarily be allowed in a new housing scheme, it would generally be better to increase the number of houses per acre rather than to resort to tenements.

When increasing the density of cottage dwellings it must be remembered that, owing to the fact that every cottage requires a certain area of road for access, the size of the garden for each cottage diminishes very rapidly as the number of houses is increased, and so soon as the plot is diminished below a certain size the amount of ground to each plot becomes so small that gardens are rendered impracticable; the space has to be paved and treated as yard space, and the whole amenity of the arrangement is very seriously reduced. The amount of ground necessary to provide for a garden plot depends somewhat on the size of the individual cottages, but generally speaking it may be said that about 20 houses to the acre, net measure, should be regarded as the maximum which it would be desirable to erect on sites of the kind under consideration.

### Circumstances in which Tenement Buildings are permissible.

3. Tenement buildings will generally be allowed only where it can be shown that a large population, compared with the area of land available, has to be housed on the land. The conditions which may render this necessary have been considered in the previous chapter.

Another reason which may be urged for allowing tenement buildings is the high cost of land. On this question it has to be remembered that, in the case of land in an unhealthy area, the price paid will be governed by its use under the improvement scheme of the Local Authority, and that, therefore, there is the less reason for resorting to congested building.

Difficulties may arise in some cases where land was acquired, possibly at a high price, before the Housing and Town Planning Act of 1919 was passed. It may be urged that, even if it be assumed that the very fact of the use of the land for intensive building may have forced up the price (where there is little or no effective demand for the land for commercial or business purposes), still the price has been paid and that the Local Authority would be mulcted unduly if they were not allowed to erect tenement dwellings. Cases of this kind may require special consideration.

There may be other cases, particularly during the special emergency period through which we are now passing, where the erection of tenement dwellings may be



justified. The Ministry have no wish to adopt any pedantic attitude on the question. But it must be borne in mind that such dwellings are opposed to the habits and traditions of our people, that they are condemned by the best housing experience, and that, as already stated, where tenements have generally prevailed, opinion is steadily becoming opposed to them.

### **Kind of Tenements.**

4. Three storeys should be the general limit. On the score of health, amenity and cost, this height should not ordinarily be exceeded.

In this connection, attention may be drawn to the report of the Royal Commission on the Housing of the Industrial Population of Scotland (C.D. 8,731; published in 1917), in which, after an exhaustive inquiry, the Commission reported in favour of legislation enacting that no tenement buildings should be of more than three storeys, including the ground floor; that none of the dwellings entered off the common stair of a tenement building should be in the nature of back-to-back houses; and that, where tenements of three storeys are erected, there should not be allowed more than 32 dwellings to the acre.

Plans of tenements and of their lay-out will be found in chapter XII., page 25

5. It has been suggested that some of the objections to many-storied buildings might be met by providing a lift or an inclined way for a block or series of blocks of flats. The cost, however, of adding a lift would be high. It has been estimated that the annual cost of a lift to carry six persons would be from £350 to £400.

The provision of an inclined way (which would take the place of the staircase) is a proposal worth considering where there is a series of blocks. Here again, however, the additional cost might be large, for, in addition to the inclined ways, one of which might be placed at each end of the series of blocks, the several blocks would have to be connected at each storey by bridges if staircases are to be avoided.

Whatever design be adopted, it must be recognised that a many-storied building is at best a poor erection for families with children. Apart from the disadvantages of crowding a large number of persons on the site (such as the increased risk from infectious diseases) the children of families living in the upper storeys, particularly the young children will be kept indoors much more than is good for them, with detriment to their vigour and healthful growth. The importance of this factor cannot be placed too high, and is in itself a strong reason why, in the absence of very exceptional circumstances, tenements should not exceed three storeys in height.

6. As regards cost, also, it does not follow that, apart from the possible saving in land, it will be cheaper to build many-storied tenements. The solidity of the structure will have to be increased largely after three or four storeys have been reached; and the increased expenditure in this respect has to be set against any saving that may be effected on roofs and foundations.

A further consideration is that the higher the buildings the farther should they be placed apart in order to secure adequate light and air to the flats on the lower floors; and, consequently, in a properly planned scheme, there might be little saving on the land.

### **Conditions which should be fulfilled in Flat and Tenement Dwellings.**

7. The following paragraphs indicate briefly the principal conditions which should be fulfilled in the planning of flats and tenement dwellings. They are illustrated in plans Nos. 6 to 11, chapter XII.

- (a) Each dwelling should have through ventilation from front to back or front to side.

It should be self-contained, with its own separate entrance from a common hall, staircase landing, or gallery.

- (b) Blocks of dwellings, as a rule, should not exceed 150 feet in length, and sufficient space should be left between each block for the circulation of air and adequate light to any windows in the ends of the block.



- (c) The blocks may be of various types, as follows :—

Two floors, each having separate street entrances, with a private stair to the first floor.

Two floors with a common entrance and staircase, providing a means of access to four flats.

Three floors as last, comprising six flats.

Three floors arranged in detached blocks with two flats on each floor, the blocks being linked together with a central balcony gangway between the blocks and corridor between the flats, with a staircase (or possibly inclined way) for access to the upper floors in the end blocks next to the streets.

- (d) Outside balconies running along one side of the blocks for access to the flats are deprecated, as they destroy the privacy of the rooms, usually bedrooms, on that side and are obstructive of light from the sky to the rooms under.

Outside stairs open to the weather are also objectionable and dangerous in wet and frosty weather.

- (e) Dwellings should contain two, three or four rooms, kitchen-scuttery, bath, W.C., food and fuel stores, cupboards and dustbin.

It is suggested that ordinarily the proportion of two, three, and four-roomed flats might be approximately in the rate of 10, 20 and 70 per cent. ; a few five-room tenements might be included in the latter class. The local circumstances must, of course, be considered in this matter.

The standard areas of the rooms should be as follows :—

Four rooms—180, 150, 100 and 65 feet respectively.

Three rooms—150, 150 and 80.

Two rooms—130 and 120, or 250 together.

In five-room flats the standard area of the largest room should be 160, and of the additional room, 120 feet.

In the case of three-storied tenements the heights of the rooms should not exceed 9' 0" for the ground floor and 8' 6" for the upper floors.

The kitchen-scuttery should be large enough to cook in, but should not rank as a room, and it should be unsuitable for use as such.

It should be fitted with water supply, sink, draining board, dresser and water heater.

The bath can be in the same compartment as the W.C., or placed in the kitchen-scuttery, with a hinged top to serve as a table. The former method is preferable.

The food store may, where it is not practicable to provide a separate larder, be a cupboard in the scuttery, ventilated to the open air with a grating not less than 12 in. by 9 in., which should be on the shady side if possible. The lower part of the food store could be a separate cupboard for general storage purposes.

Coal can be kept in a galvanised iron bin to hold about 2 cwt., with a hinged top and a slide in front. This should be placed in the kitchen-scuttery. In some cases a general coal store might be provided in the basement, divided up for each tenant.

Gas cookers and gas fires of an approved type should generally be used in flats in preference to coal fires. Proper flues must be provided.

Sanitary dustbins should be provided for each flat, with a place for keeping them in the open air outside the dwelling. It will generally be found advisable to have the dustbins on the ground level.

Cupboards should be provided in each room for clothes and general storage.

Wash-houses could be provided in a portion of the roof space, in the case of slated or tiled roofs, or on the roof where flat, and particular days allotted to the tenants for their use in turn. A hot water supply system should be provided for each flat, and where the scheme is a large one these services might be arranged economically on a communal system, together with a properly equipped laundry.



## CHAPTER X.—MANAGEMENT OF PROPERTY.

### The personal element in the slum problem.

1. The slum problem is one of persons as well as of accommodation. Though recognised, this truism has not, in fact, often been acted upon. Too frequently, the dweller of the former slum shuns his remodelled haunts, though even under these conditions, no doubt some raising of the former slum population was being accomplished.

Now, however, that bad housing is to be more comprehensively attacked, it becomes the more important for Local Authorities frankly to face the problem of the slum dweller, and to devise means of raising his standard. No doubt that standard is determined largely, though by no means wholly, by the amount and regularity of his earnings, and this problem is for the most part outside the sphere of the Local Authority. But there are other measures which are open to them.

### Trained management of property.

2. Experience has shown that very much can be accomplished by trained management. The standard of a whole area can be raised in this way, even without any radical alteration of the buildings in the area.

Among the most noteworthy achievements in this direction have been those of Octavia Hill and her followers, a work now continued by the members of the Women House Property Managers' Association. These women are specially trained for the work, trained not only in rent collecting and its incidentals, but also in matters touching repairs and the social conditions of the working classes. They generally live on or near the property, keep in close friendly touch with the tenants, and are trained to be sympathetic and at the same time firm in their work, while avoiding any undue interference with the liberty of the tenants. The management is run on business terms and on business methods.

3. Reference has been made to the Women House Property Managers' Association because they are an organised body whose members are specially trained for this kind of work, and who have been used, and are being used, for managing property (some of it formerly congested and ill-planned) by such bodies as the Ecclesiastical Commissioners and the Office of Woods and Forests. Similar success, on a less systematic scale, has been achieved by others; and there is no reason, of course, why work of the kind should be confined to women, though they may in some ways be specially adapted for it.

What is important is that it should be fully recognised that the management of property calls for trained skill and proved aptitude; and Local Authorities, as others, may lose seriously if they fail to realise this fact.

By such trained management it should be possible to achieve striking improvements in areas where the Local Authorities have acquired and improved existing houses. But it is equally required where rehousing has been undertaken, and also for new houses under Part III., and Local Authorities will be well advised to bear this in mind. Trained sympathetic management is not a cure for bad housing, but it is always a helpful amelioration, and, where the housing is good, it is a means of maintaining its excellence and of securing the best results from its amenities.

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## CHAPTER XI.—FINANCIAL ASSISTANCE.

### Schemes for which financial assistance will be given.

1. An improvement scheme under Part I. or Part II. of the Act of 1890, will rank for financial assistance from the State, on the terms indicated below, if it includes the provision of rehousing, and is approved by the Minister of Health.

A scheme will rank for financial assistance whether the rehousing is carried out upon the cleared area or elsewhere. As slum areas are generally overcrowded, the presumption is that some at least of the rehousing should generally be done in more open surroundings.



Where a Local Authority are carrying out a Part III. Scheme (the provision of additional new houses), as well as a Part I. or Part II. Scheme or Schemes, it may sometimes be convenient and economical to utilise as a site for rehousing surplus land acquired under Part III. If this is done, the fact that the rehousing site was originally acquired for the purpose of Part III. of the Act will not in any way prevent the Part I. or Part II. Scheme from ranking for financial assistance.

Assistance will be paid towards the losses not only on the rehousing, but also on the acquisition, clearance and development of land in the scheme.

Assistance will not be paid towards the cost of acquiring a site, under Part I. or Part II. of the Act of 1890, which was acquired before the 6th February, 1919, or towards the cost of clearing a site cleared before that date. Assistance will not be available for the removal of obstructive buildings under section 38 of the Act of 1890 (see page 39, vol. II).

### **Limit of a 1d. rate applies.**

2. All improvement schemes under Part I. or Part II. of the Act of 1890, which include rehousing provision, and all Part III. Schemes carried out by a Local Authority, will for the purpose of financial assistance be regarded together as one scheme, and if the total estimated annual loss exceeds a rate of 1d. in the pound, the whole of the excess will, subject to the conditions which are laid down, be covered by the State subsidy.

The payment of the subsidy is, of course, conditional on the exercise of due economy by the Local Authority in the carrying out and the management of their schemes and on the charging of reasonable rents for any dwellings which are provided.

The provisions as to financial assistance are set out in detail in the Housing (Assisted Schemes) Regulations, 1919.

### **Conditions of Assistance.**

3. It is a condition of assistance that the schemes shall be carried out with reasonable promptitude, due allowance being made for prevailing conditions and the other commitments of the Local Authority.

As already indicated, the definite proposals of the Local Authority for dealing with their unhealthy areas should be placed before the Ministry by the 31st July, 1920, parts being submitted at intervals (see page 6).

It is further provided in the Regulations that assistance is to be given only if "the Minister is satisfied that reasonable progress has been made with the carrying into effect of the scheme within two years of the passing of the Act of 1919 [that is, by the 31st July, 1921], or within such further period as the Minister may allow" (regulation II. (1) (ii)).

Moreover, financial assistance is not to be paid "in respect of any scheme or part of a scheme not carried into effect before the expiry of a period of three years from the passing of the Act of 1919 [that is, before the 31st July, 1922], or such later date as the Minister may allow, regard being had to the supplies of labour and material available from time to time and all other local or general circumstances affecting the carrying into effect of the scheme" (regulation II. (1) (iii)). The Minister fully appreciates that the difficulties connected with schemes for dealing with unhealthy areas may, in a number of cases, necessitate some extension of time. But he will grant extension of time only in cases where he is satisfied that the Local Authority are grappling with the problem comprehensively and with real earnestness.

### **Adjustment in 1927.**

4. As in the case of Part III. schemes, so also as regards Part I. or Part II. schemes, the amount of the Exchequer subsidy will be reviewed in 1927, when the Local Authority have to submit a revised estimate of the average income and expenditure; and the amount of the subsidy will then be finally fixed, on the basis as set out above that the charge on the local rates is not to exceed the produce of a 1d. rate.



## CHAPTER XII.—PLANS.

1. A number of plans are given at the close of this chapter for the purpose of illustrating the kinds of areas which may be dealt with as “unhealthy,” and the manner in which they may be treated. Each area must obviously be dealt with according to the local conditions, but the plans will indicate the general objects at which to aim.

One purpose has been to show the planning of a site after clearance, and for this reason it has been assumed in each case that there is a considerable amount of rehousing on the site. As already stated, however, the Local Authority should always consider whether it will not be more advantageous that most or the whole of a cleared site should be used for industrial, business, or commercial purposes, rehousing being provided on another site.

2. The first five sets of plans show examples of unhealthy areas, and their planning after clearance. The first three sets of plans relate to small areas, where the problem is comparatively simple.

The two other sets of plans (4 A. and 4 B. and 5 A. and 5 B.) have been introduced to indicate how a large slum area may be dealt with on broad lines where the circumstances are favourable. It has to be remembered that it is not essential that the whole of a clearance scheme should be carried out at once. Provided there is a definite plan for the development of the area as a whole, it can be executed gradually as conditions allow. Without such a plan, there is danger that disconnected measures will be adopted at different times, with loss of amenity and convenience and, not least, of economy.

3. *Plans 4 A. and 4 B.*—Plan 4 A. (which, like the other plans, though based on actual areas, does not itself represent one), shows a congested area in a port, where there is also some fishing industry.

One of the objects aimed at in the replanning of the area has been to provide better access to the river bridge from the northern and to the station from the western parts of the town.

It is assumed that the part of the river east of the bridge is navigable for commercial purposes by small boats, and the part of the cleared area near the quay has been reserved for business and industrial purposes. Some other plots in the principal street running through the area have been reserved for business premises. The rest of the area is used for rehousing, in three-storeyed tenements and cottages, except that some of the old buildings, after reconstruction and repair, and being thus rendered habitable, are retained for the present for use.

4. *Plans 5 A. and 5 B.*—Plan 5 A. shows an area of old buildings in a large town; there is a station of minor importance adjoining the area on the western side. It is assumed that there is some demand for land in the area for industrial and business purposes.

The portion surrounded by a thick black line is an unhealthy area and requires to be entirely cleared and replanned. In the replanning of the area, some sites adjacent to the railway have been allocated for industrial purposes and the frontages upon the main roads for business and commercial uses. The rest of the land has been devoted to housing a part of the displaced population, the surplus population being rehoused on other sites outside the area.

It is important, in remodelling this area, to keep in view some town planning considerations affecting the district as a whole. It is very desirable (a) to approach the general area of the railway station from all directions and to construct a good through road to the station from the part of the town to the east of the area, and (b) to obtain a good main road running approximately parallel with the railway and at no great distance from it in order to minimise the inconvenience caused by the railway. Provision is made for these purposes within the area of the scheme. In addition, at points marked A, B and C in the adjoining areas, desirable street improvements to complete the provision have been indicated. These improvements may prove costly, and, despite their necessity, it may be some time before the Local Authority feel that they can undertake them. But they should have the future development before them and should shape their measures accordingly.



5. It will frequently be found in large towns that districts adjoining an unhealthy area, while not perhaps requiring such drastic treatment, are far from satisfactory. It may be possible to deal with the principal defects in them by small improvement schemes, by closing and demolition orders and by the removal of buildings by arrangements with owners. To illustrate this aspect of the problem an area of this kind is shown on Plans 5 A. and 5 B. to the east of the unhealthy area.

6. The last six plans (Nos. 6 to 11) show types of tenement dwellings. In this connection it has to be borne in mind that, where circumstances permit, it is generally better to rehouse in self-contained cottages, and that tenement buildings will, as a rule, be warranted only where it is necessary to rehouse on the site a larger number of persons than could otherwise be accommodated without undesirable congestion. Plans of self-contained and flatted cottages are given in the Manual on Part III schemes.

No. 6.—This is a suggestion for part of a block where the entrance is on the north side. The plan comprises two 3-room dwellings on the ground floor and 3- and 4-room dwellings on each of the upper floors.

The area of the accommodation in the 4-room dwelling is the same as for a Class A. cottage, but in the 3-room dwelling the area of the living room is reduced, as the family would be smaller. All the cooking would be done in the scullery by gas.

The dwellings are planned on the assumption that there would be a communal system of hot water and a communal wash-house which could be arranged on the roof or in the courtyard attached to the dwellings. In the courtyard there should also be placed for each dwelling a store to hold a perambulator or a cycle.

The walls of the ground floor would be 14 inches thick, and the two upper floors could have an 11-inch cavity brick wall, or the whole structure could be built with a cavity concrete wall.

No. 7.—This is a plan for part of a block which has its entrance on the south side. The accommodation is in all respects the same as in No. 6.

In each of these plans additional rooms could be provided by slightly lengthening the corridors of the dwellings.

No. 8.—This is a plan of a building designed by Mr. W. E. Riley, formerly Superintendent Architect of the London County Council, and shows how one common stair can serve four dwellings on each floor.

The two dwellings furthest from the staircase are approached by an outside balcony, and the plan is so arranged that no living or bedrooms are overlooked from the balcony.

Each block contains two 3-room, one 3-room and one 5-room dwelling, but the area of the rooms is below the standard now considered desirable.

No. 9.—This is a plan prepared by Mr. F. E. G. Badger, Director of Housing to the Liverpool Corporation, and embodies the latest requirements from experience gained in that city.

The entrance passage to the staircase is repeated as an open space on each floor to provide through light and ventilation to the staircase and for use by the upper floor tenants, for the storage of perambulators, &c.

In the London types of similar buildings, each tenant carries down the refuse, which it is not possible to burn, to dust-bins placed on the ground level. The practice of Liverpool is to provide a railed balcony on each of the upper floors from which a shaft is approached, down which the ashes are dropped through specially contrived hoppers which are intended to avoid dust coming from the shaft when the hopper is open for use.

In each of these dwellings a copper is provided and the washing is done at home and hung out to dry on the balcony.

The general need in Liverpool is for 4-room dwellings, and the accommodation provided as shown on this plan appears to meet all the requirements of a flat.

No. 10.—This is a design reproduced by permission of the Scottish Board of Health, and the architect, Mr. John Arthur, of Glasgow. Each floor contains 3 and 4 room dwellings. A novel feature of this plan is the arrangement of the staircase whereby the back part of the building comprising the office portion of the dwelling is kept narrow, allowing a greater depth for the living room and bedrooms in the front. The position and shape of the staircase with two rooms in front of it enables this dwelling to be planned with a square hall or lobby from which all rooms are approached, except the scullery, which is entered from the living room.

A wash-house is provided on the ground floor, approached from the courtyard in the rear, and each tenant can have the use of it on one day in the week.

No. 11.—This design is also produced by permission of the Scottish Board of Health, and the architect, Mr. Wallace Marchmont, and it follows more on the lines of plans customary in London except that the staircase serves only two dwellings on each floor and so avoids the need of outside balconies.

This plan possesses a directly lighted lobby and corridor which is not provided in any of the others.

The washing of clothes is arranged for by a gas copper in the scullery, and the clothes would have to be dried there. This would not be necessary where a communal laundry is provided in connection with the dwellings.

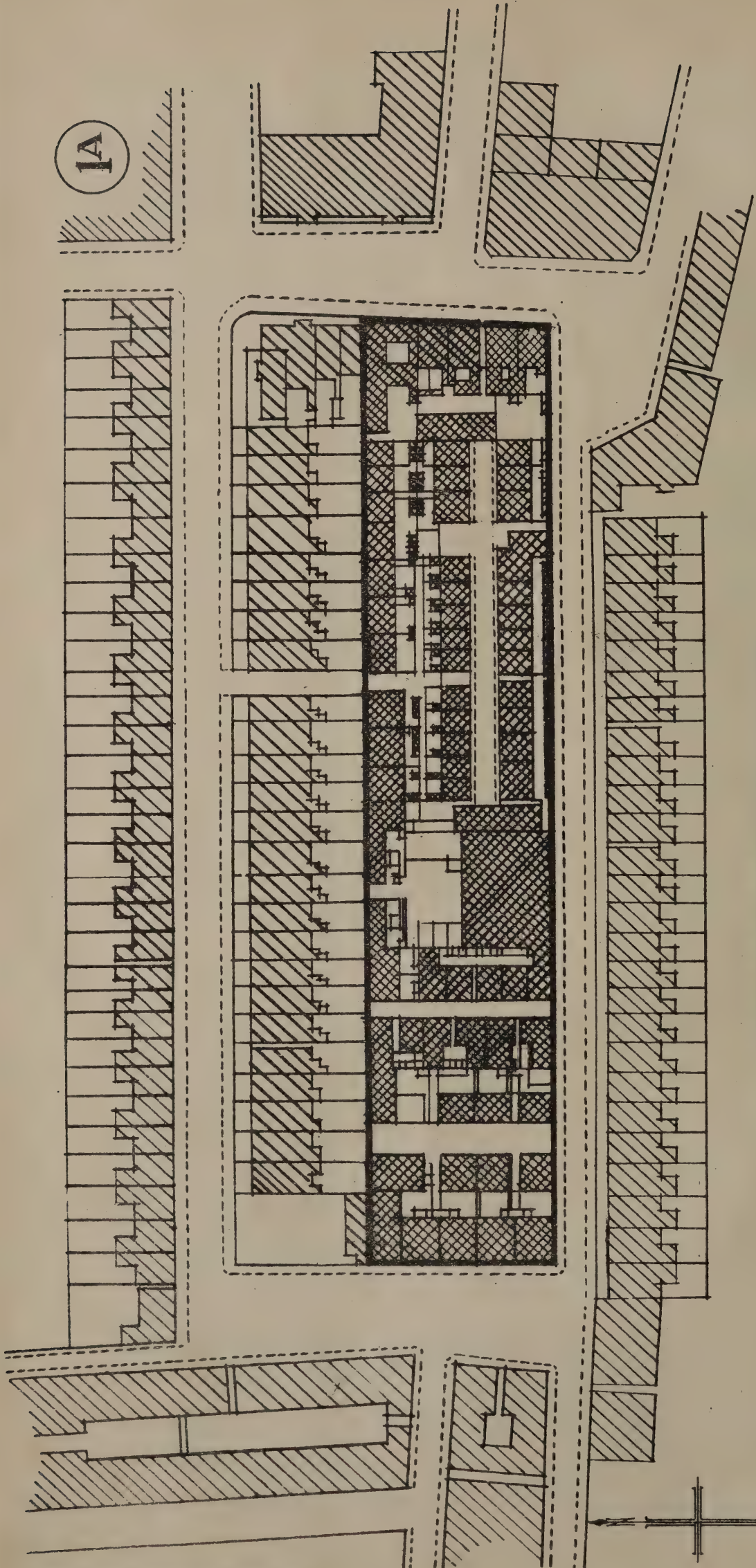
The staircase only serves the two upper floors, as the ground floor dwellings have direct private entrances, which is a distinct advantage.

The accommodation is the same as in No. 10.









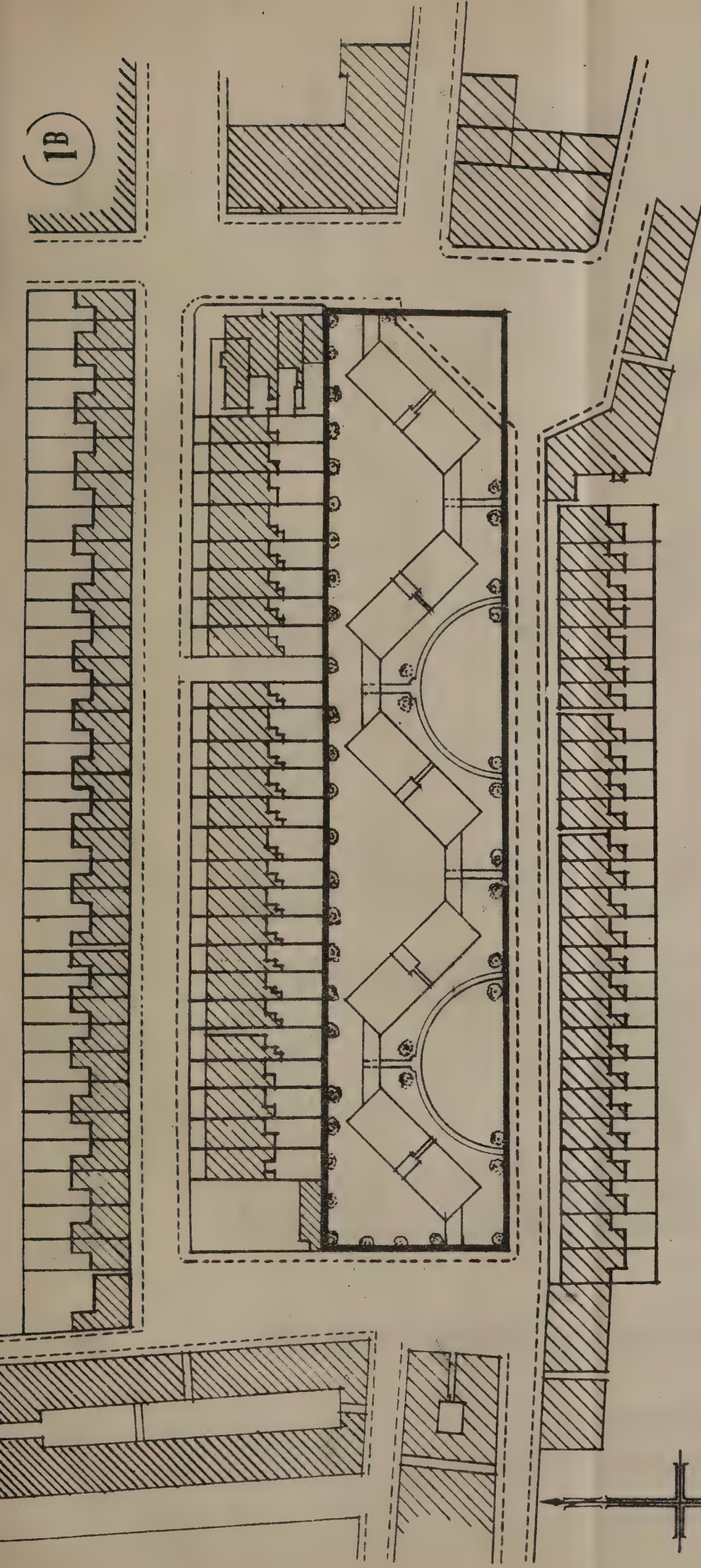
1A

0 10 20 30 40 50 60 70 80 90 100

SCALE OF FEET.

Area Before Improvement.    The unhealthy area is defined by a thick black line.  
 The buildings in the area consist of congested & dilapidated dwellings, sheds and stables.





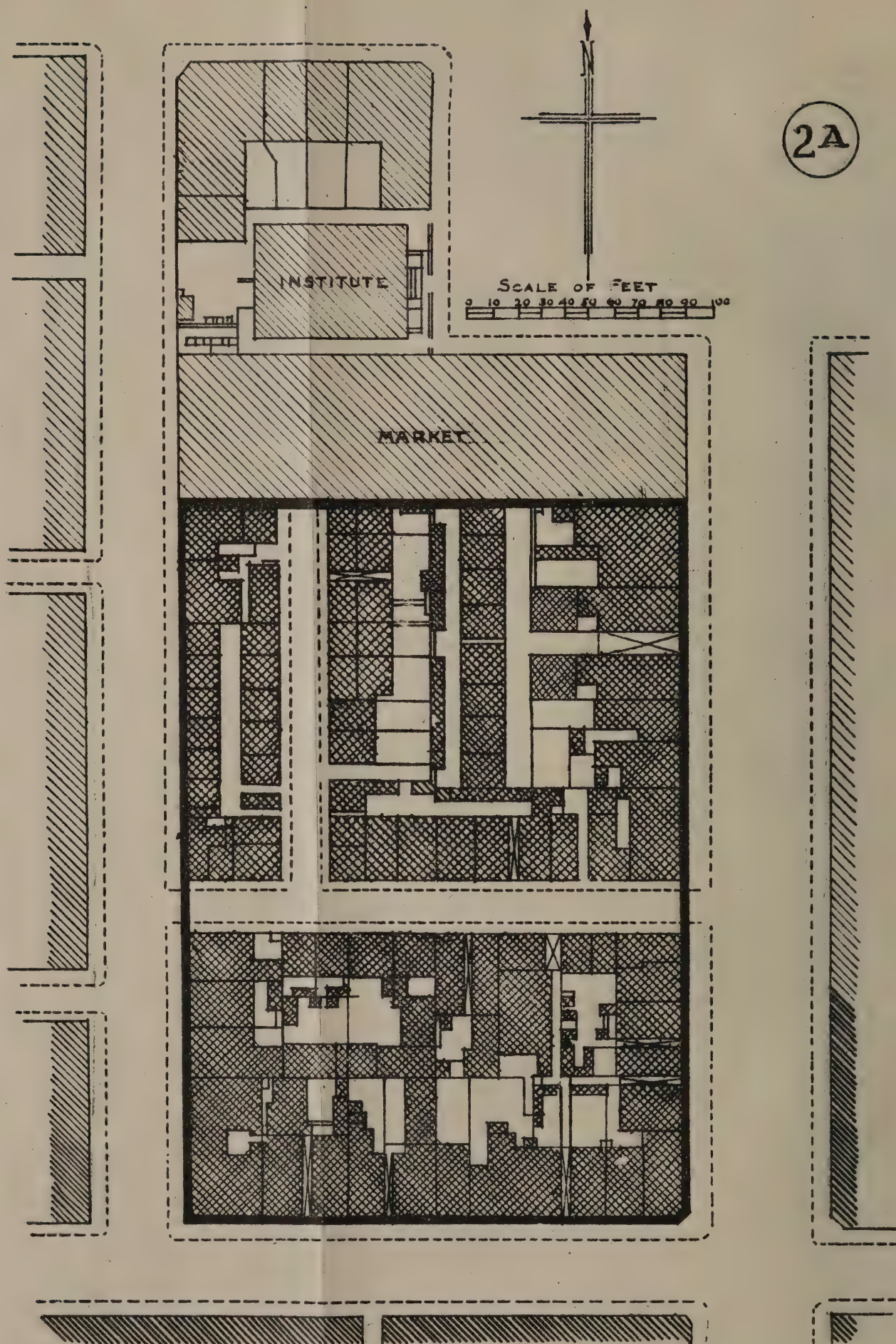
0 10 20 30 40 50 60 70 80 90 100

SCALE OF FEET.

*Area after Improvement. The Area has been wholly cleared, and as it is assumed in this case to be desirable to re-house on the site a large proportion of the displaced persons, three-storey blocks of flats are shewn. The arrangement of the flats in short blocks placed diagonally further improves the lighting and air space to the surrounding building, & introduces some amenity to the area.*



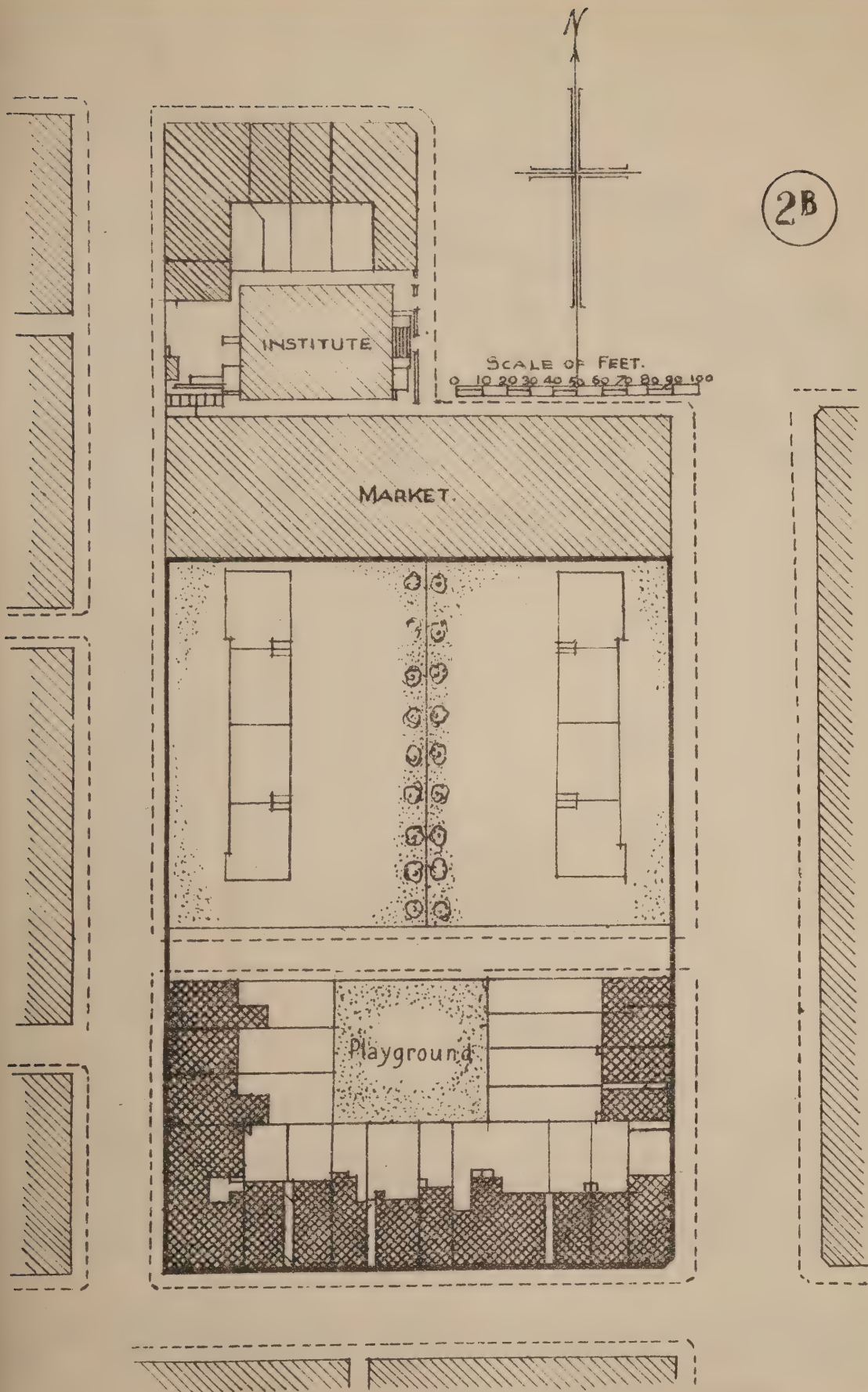
2A



Area before Improvement.

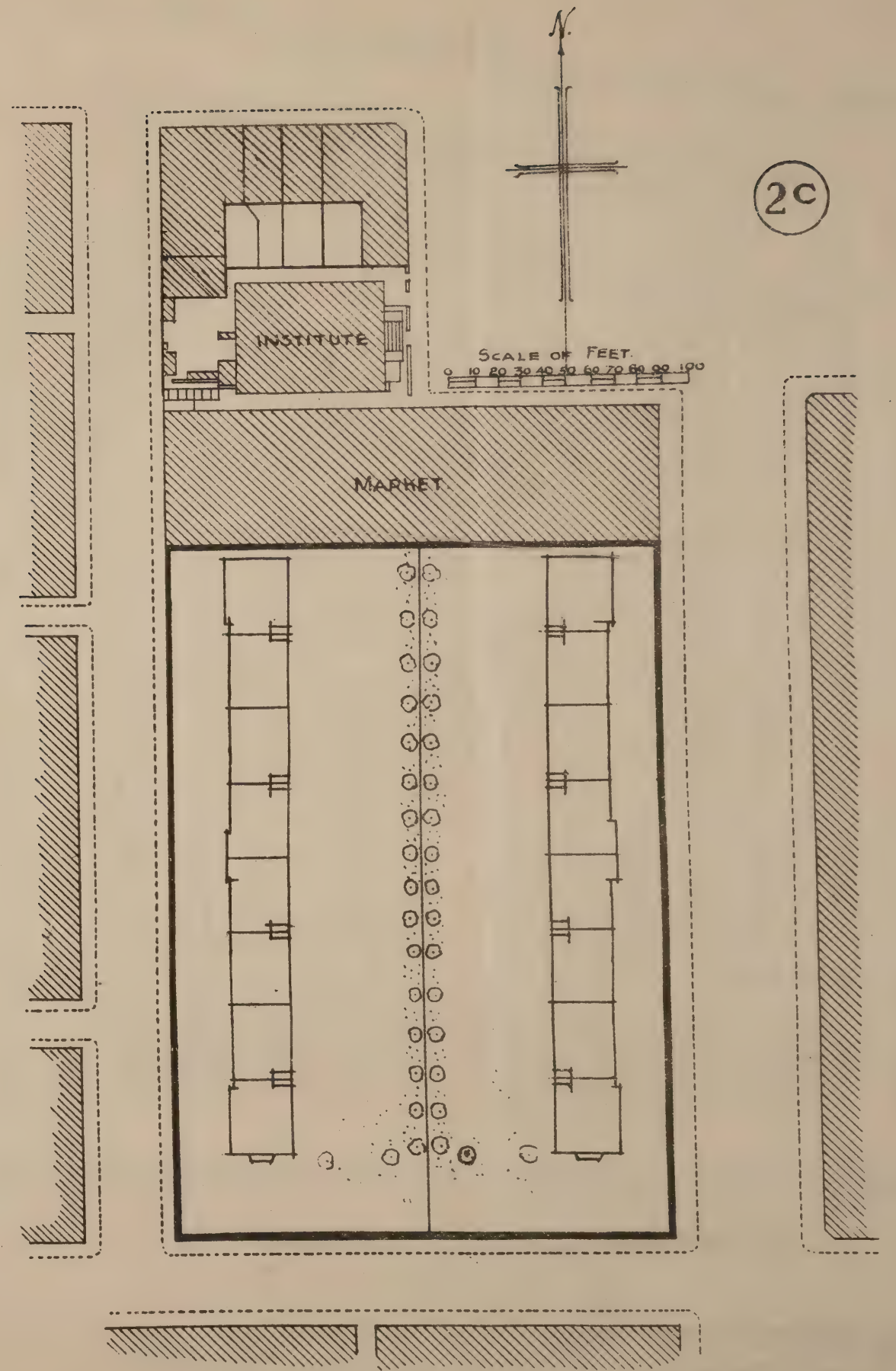
The unhealthy area is defined by a thick black line.





Area after Improvement. (Intermediate stage).

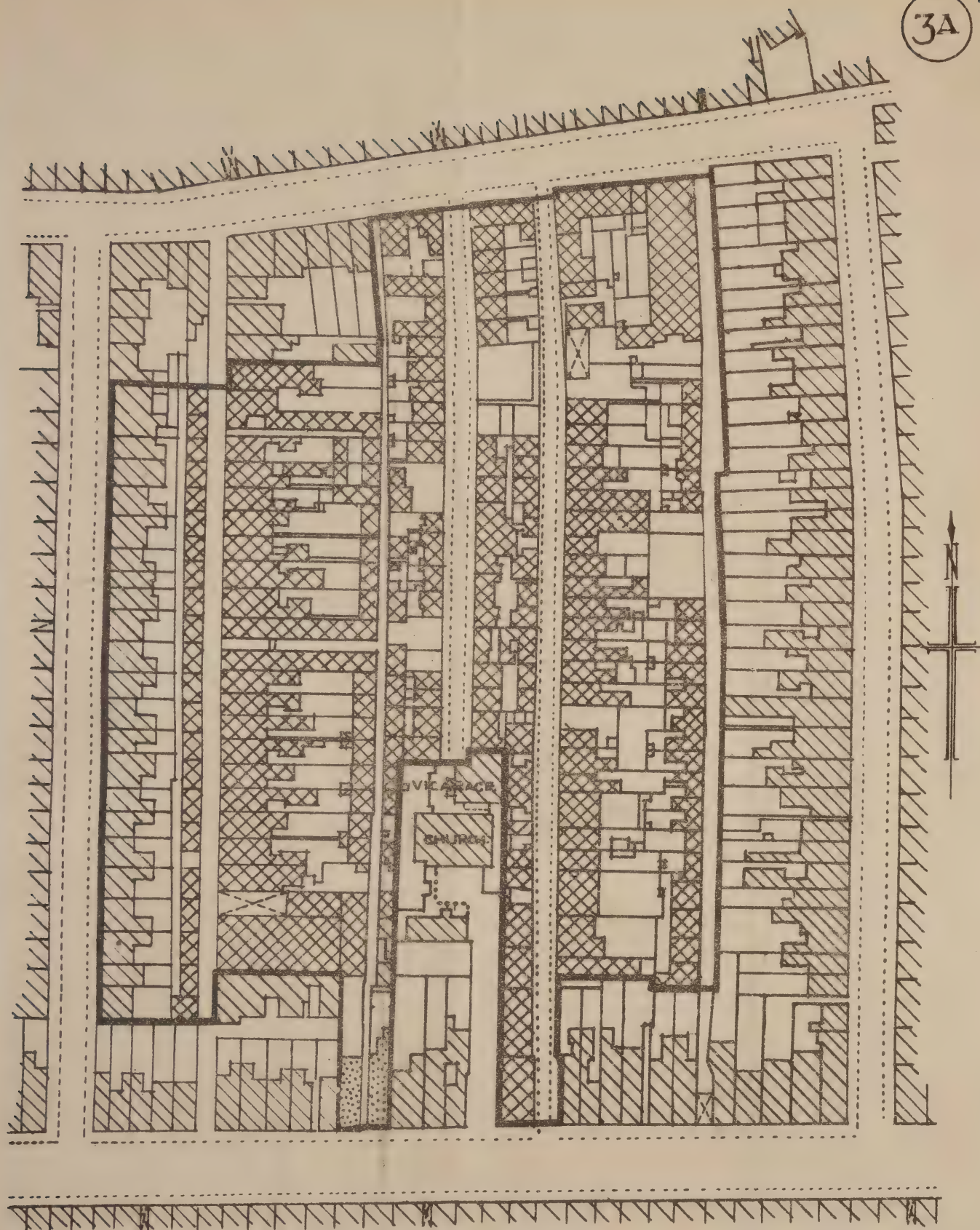
Three-storey blocks of flats are shewn on the northern part of the area. In the southern part a number of houses have been removed, and more space has been provided at the rear of the remaining houses, which can be repaired & retained for a few years. A lay-out of the completely cleared area is shewn in the next plan.



Area after Improvement. (Final stage.)




3A

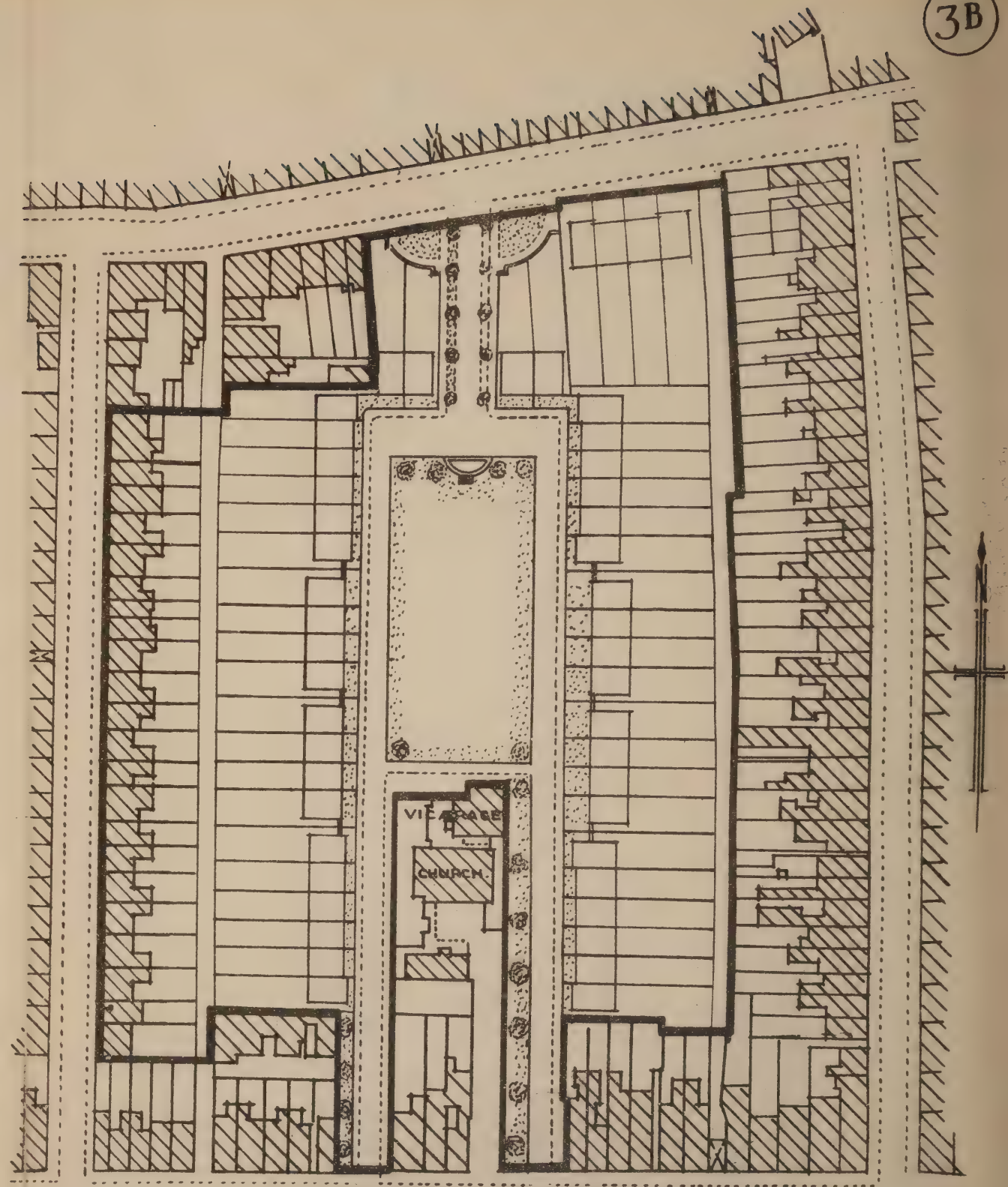


100 90 80 70 60 50 40 30 20 10 0  
SCALE OF FEET. 100 200

### Area before Improvement.


The area of the scheme is defined by a thick black line. Of the buildings within the area those dotted thus  are included not as a part of the unhealthy area but for the purpose of making the scheme efficient.

3B



100 90 80 70 60 50 40 30 20 10 0  
SCALE OF FEET. 100 200

### Area after Improvement.

The Plan shews cottages built on the cleared area round a playground. Existing roads have so far as possible been adapted to the new lay-out and the church and vicarage have been opened up. The buildings within the area hatched thus  are renovated to serve for a short period only.












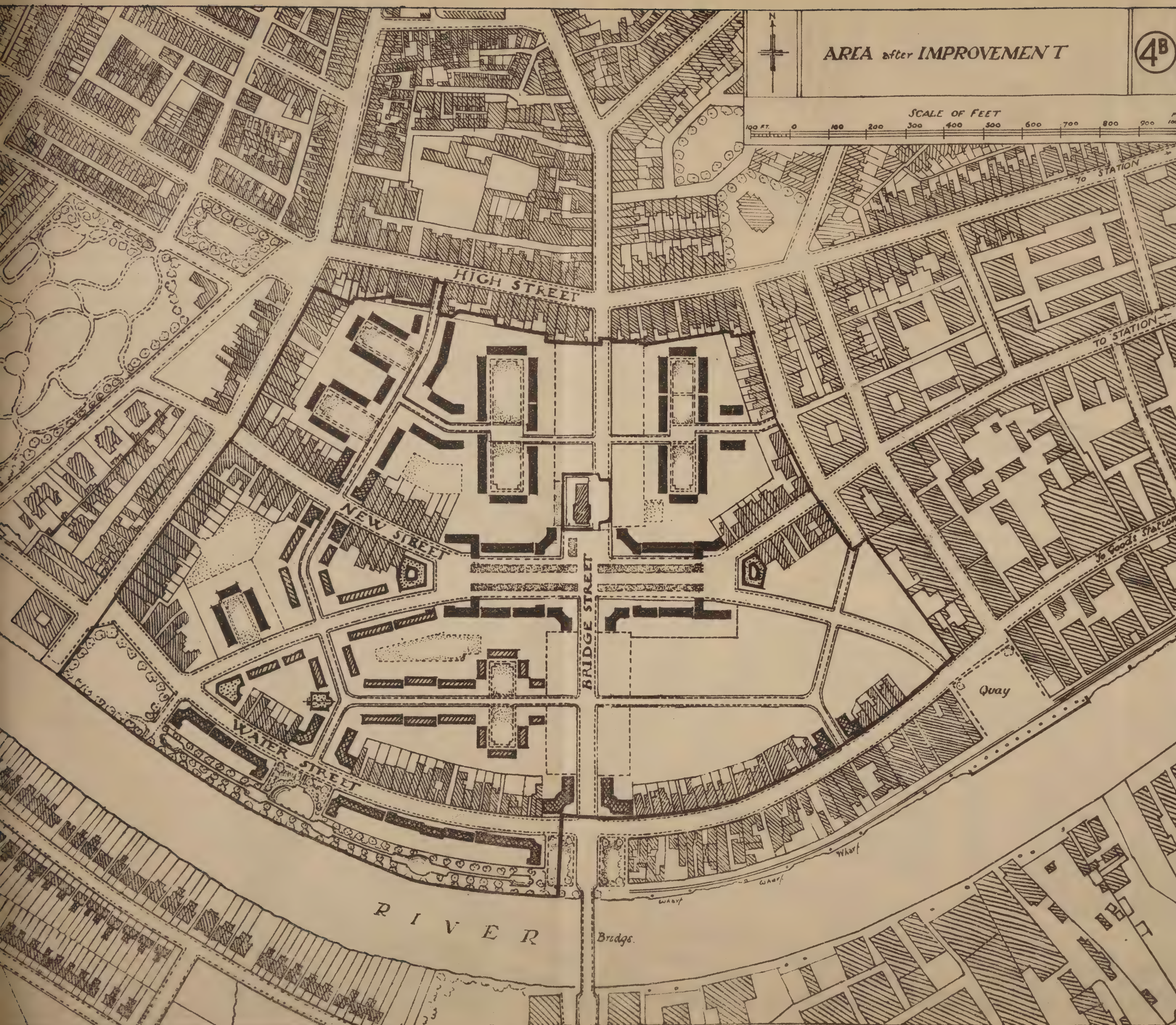
The limits of a large improvement scheme are defined by the thick black line. —

High Street is a main shopping thoroughfare. There are also a few shops, mostly with dwellings over them, in Bridge Street, New Street and Water Street. Between Water Street and the river, west of the Bridge, there are dilapidated dwellings, old storage sheds and the like.

Of the buildings within the area, that dotted  is included for the purpose of making the scheme efficient, and those cross-hatched  are in such a condition that they will require demolition.

Those hatched  can be improved and repaired for a further period of use.





# AREA after IMPROVEMENT

4<sup>B</sup>

The cleared area is used mainly for housing purposes to serve the workers in the factories, and on the quays which cover most of the ground to the East & South of the area.

The Buildings shewn black are three-storied tenements, those hatched are cottages, those cross-hatched are flats over ground-floor business premises. Those dotted are special or public buildings.

Better road communication between the river front and the railway to the East, and the centre of the town to the N.W. has been provided.

The river front to the west of the bridge has been laid out as open space, the wharves stopping east of the bridge.

The parts of the cleared area on which no buildings are indicated will be disposed of for business & industrial purposes.





## AREA BEFORE IMPROVEMENT

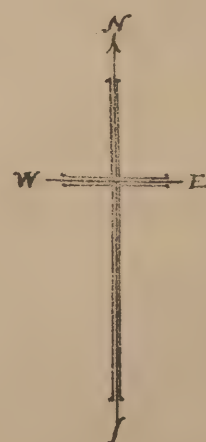
The limits of a large improvement scheme are defined by a thick black line.

The buildings dotted ■ are included for the purpose of making the scheme efficient.

The buildings fronting Main Street are mostly shops with warehouses & workshops attached. These are in fair repair & for this reason were not included in the scheme.

The buildings shown ■ also require treatment either by Closing and Demolition Orders, Part II schemes, or otherwise.

Desirable street improvements are shown at A, B & C.





# AREA AFTER IMPROVEMENT.

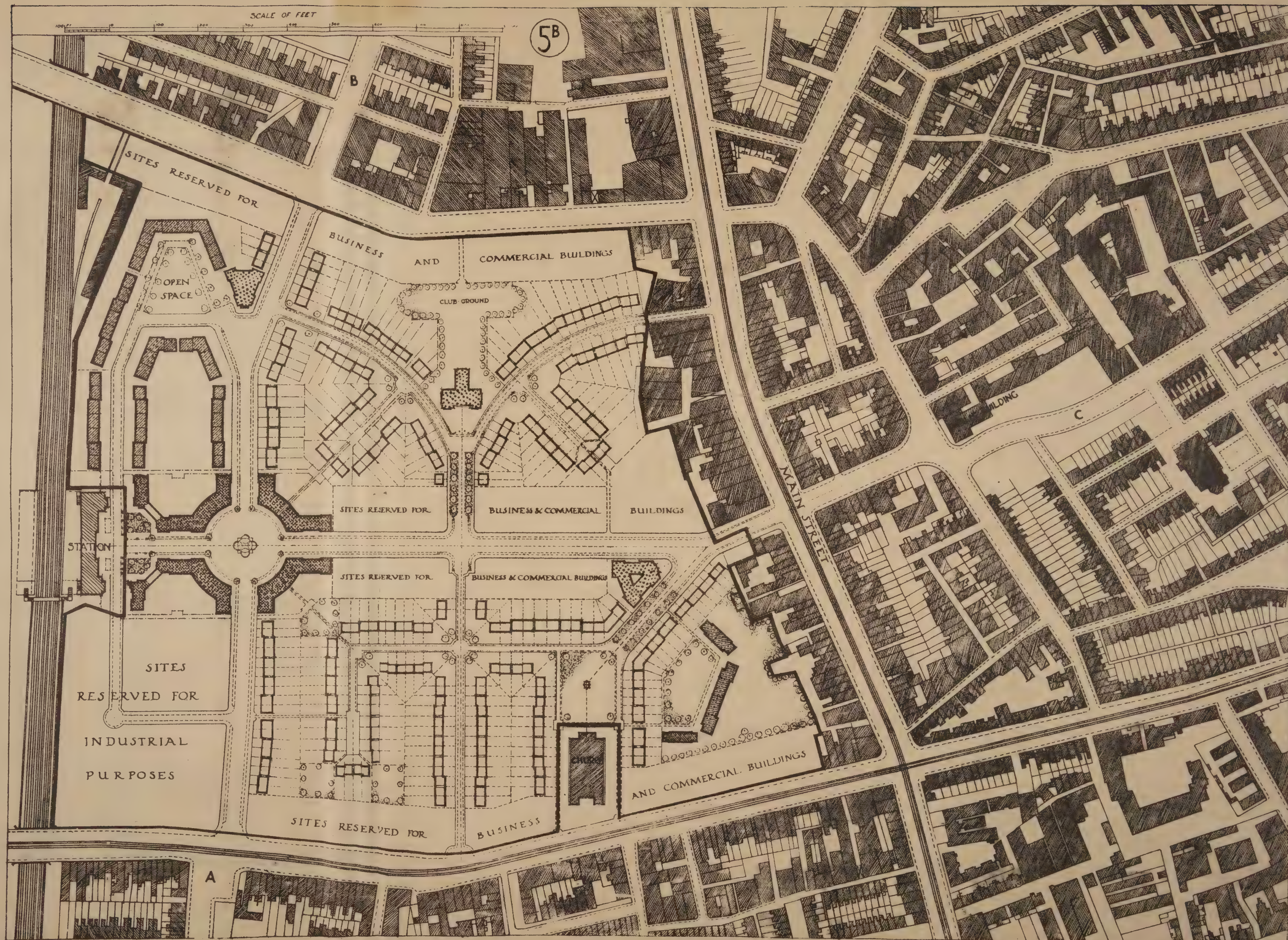
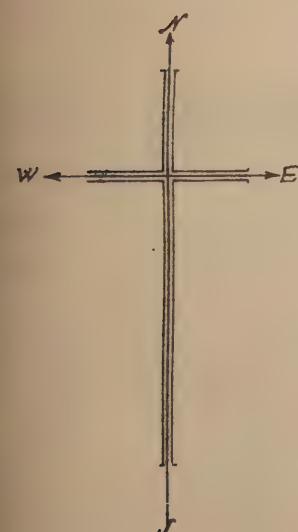
The cleared area is largely used for housing purposes. A few shops & business premises with flats are shown near the station hatched

Two or three-storey blocks of flats are shown hatched & self-contained cottages edged with dark line

The sites dotted are reserved for special buildings

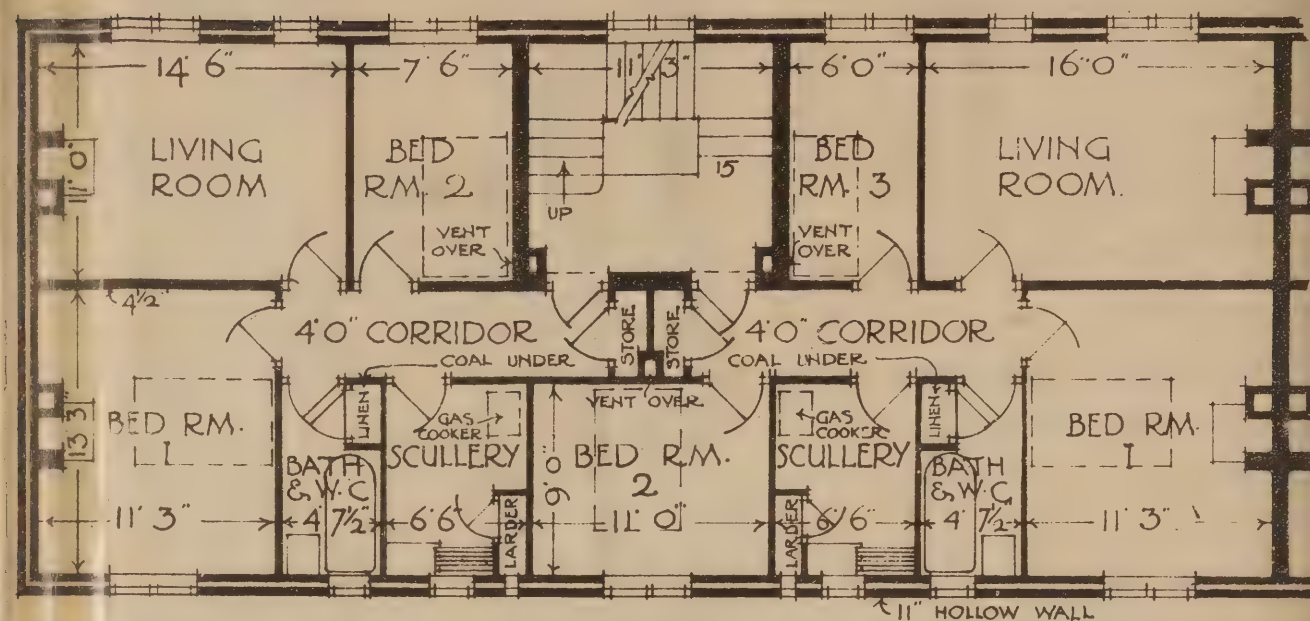
The remainder of the area will be disposed of for industrial or commercial purposes as indicated on the plan.

Street improvements at A.B.&C have been effected and the buildings shown black on plan 5<sup>A</sup> have been removed.

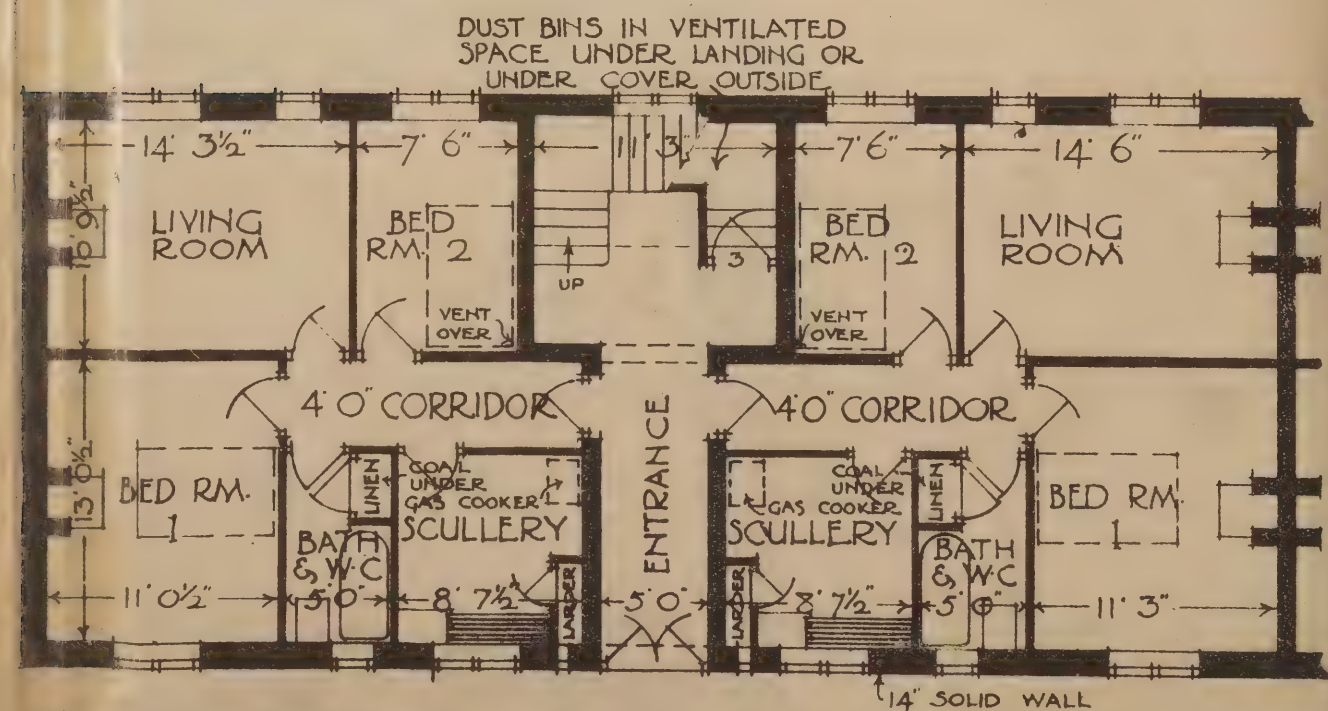




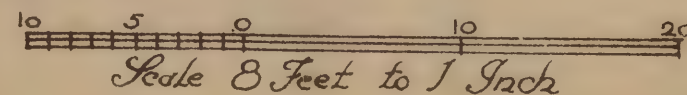
# TENEMENT DWELLINGS. NORTH ASPECT THREE STOREYS HIGH



FIRST AND SECOND FLOOR PLAN

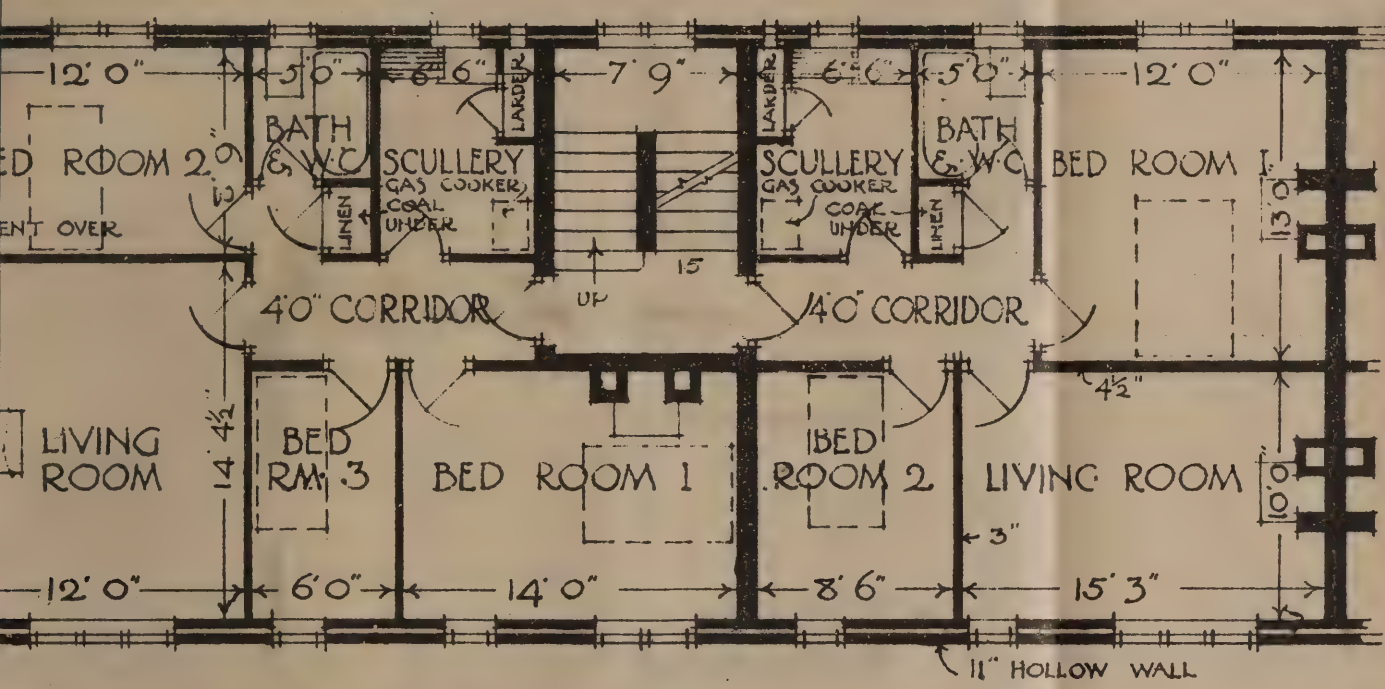


GROUND FLOOR PLAN

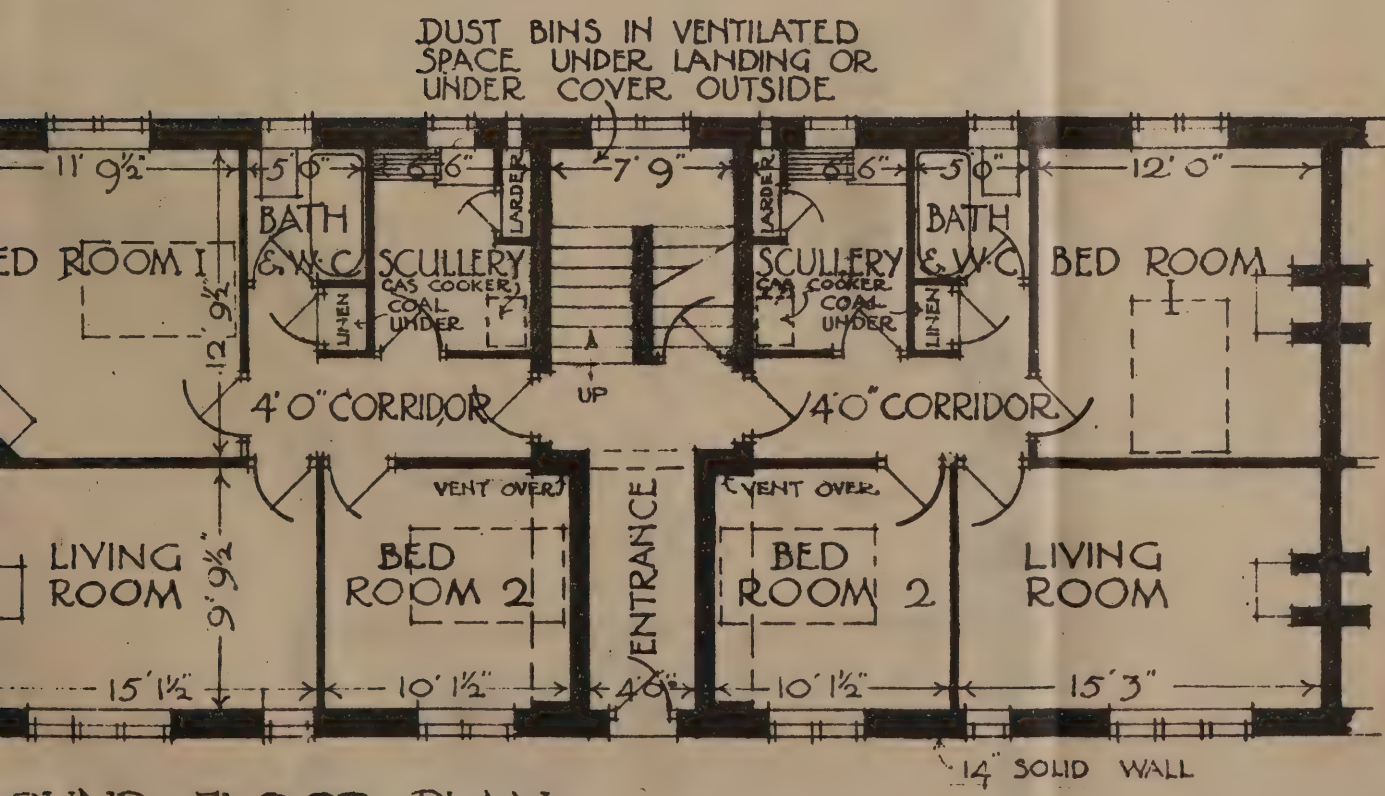




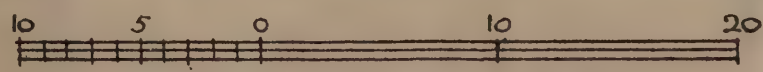
# TENEMENT DWELLINGS. SOUTH ASPECT THREE STOREYS HIGH



FIRST AND SECOND FLOOR PLAN



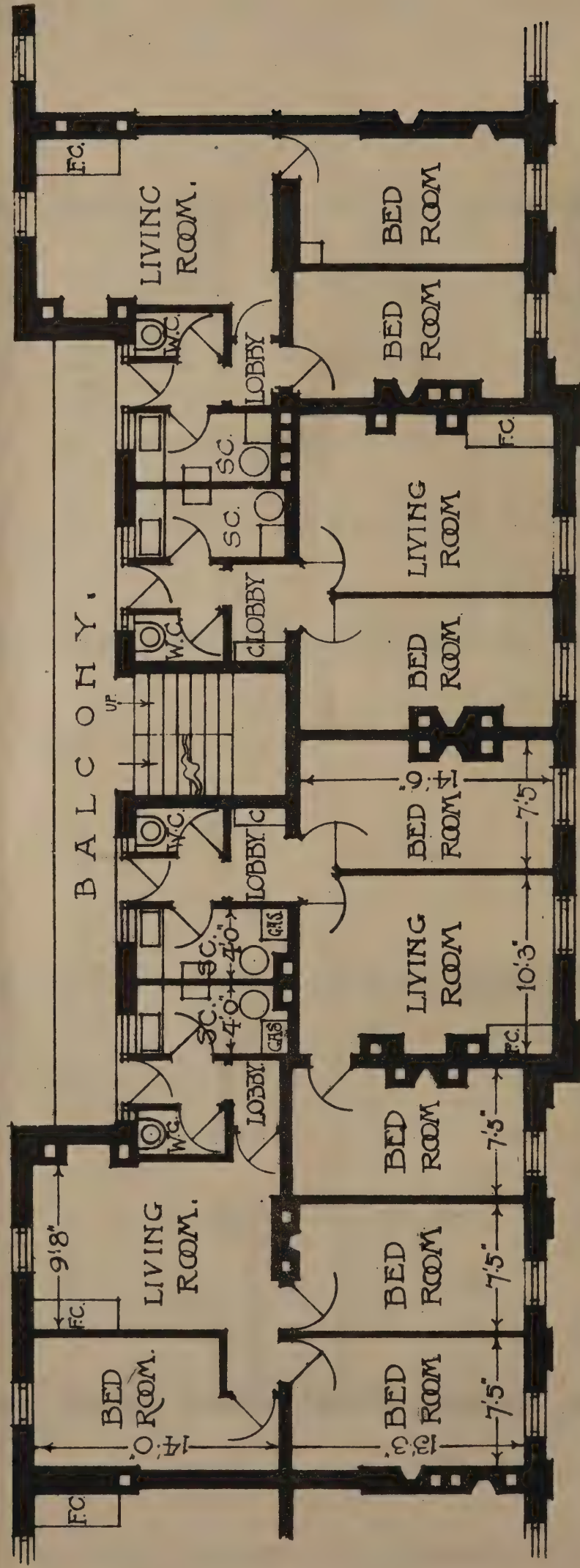
GROUND FLOOR PLAN



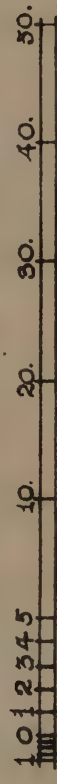
Scale 8 Feet to 1 Inch



# LONDON COUNTY COUNCIL TYPE.

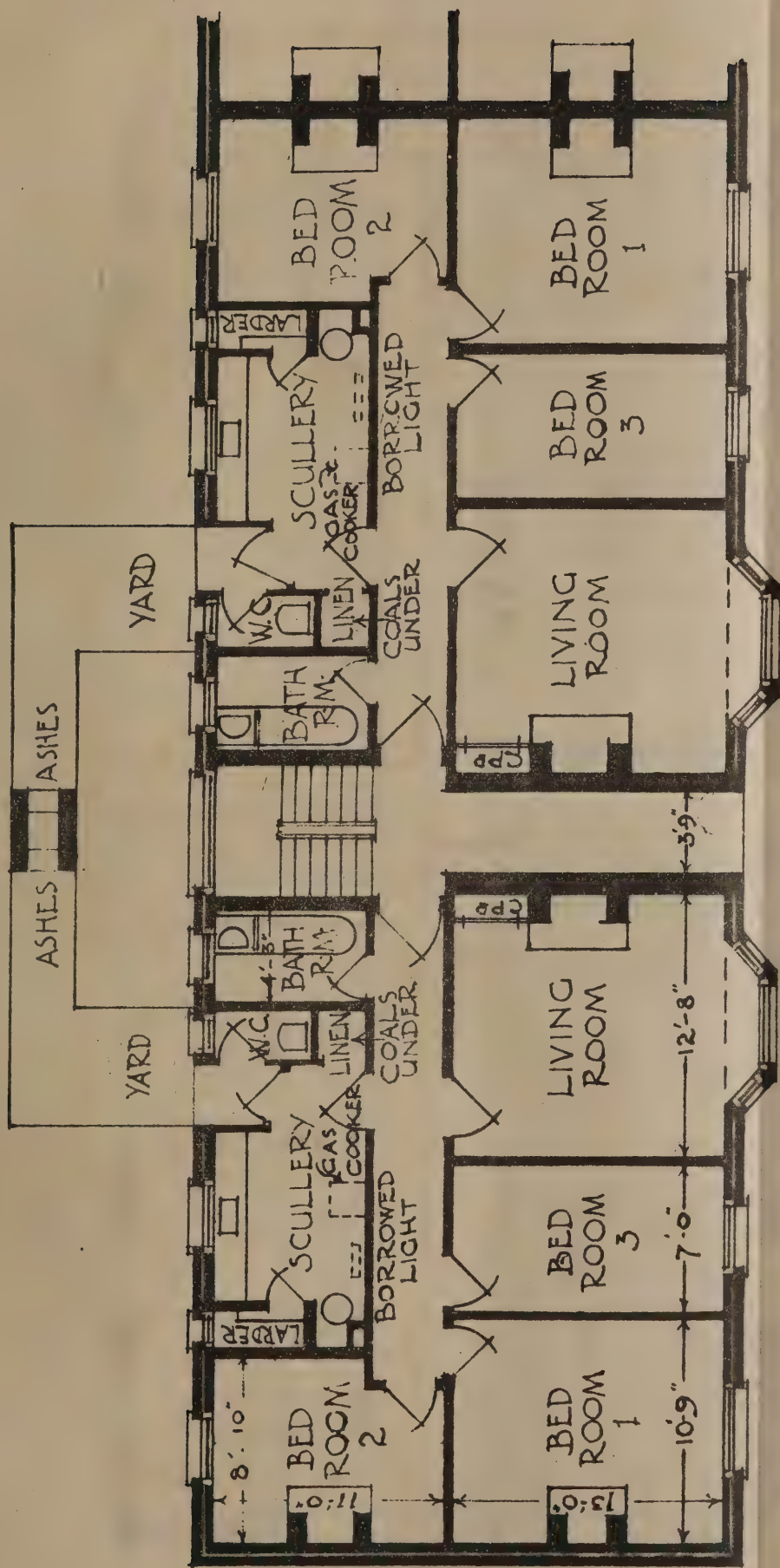


FIRST FLOOR PLAN.



SCALE 8 FT. TO 1 INCH.



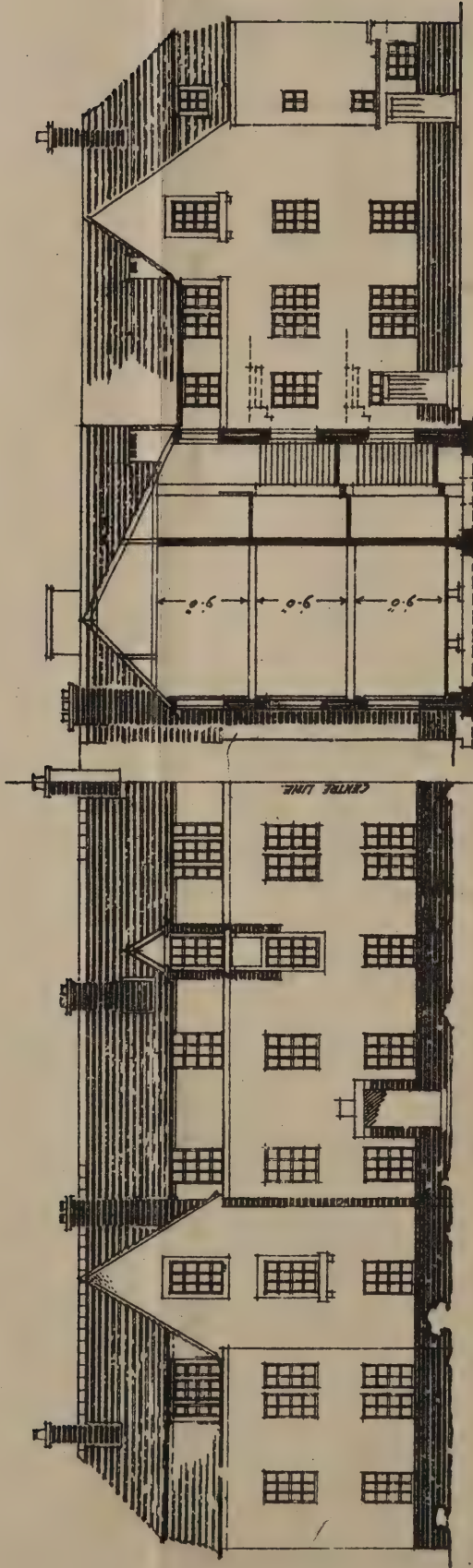


GROUND FIRST & SECOND FLOOR.



Scale 8 Feet to 1 Inch

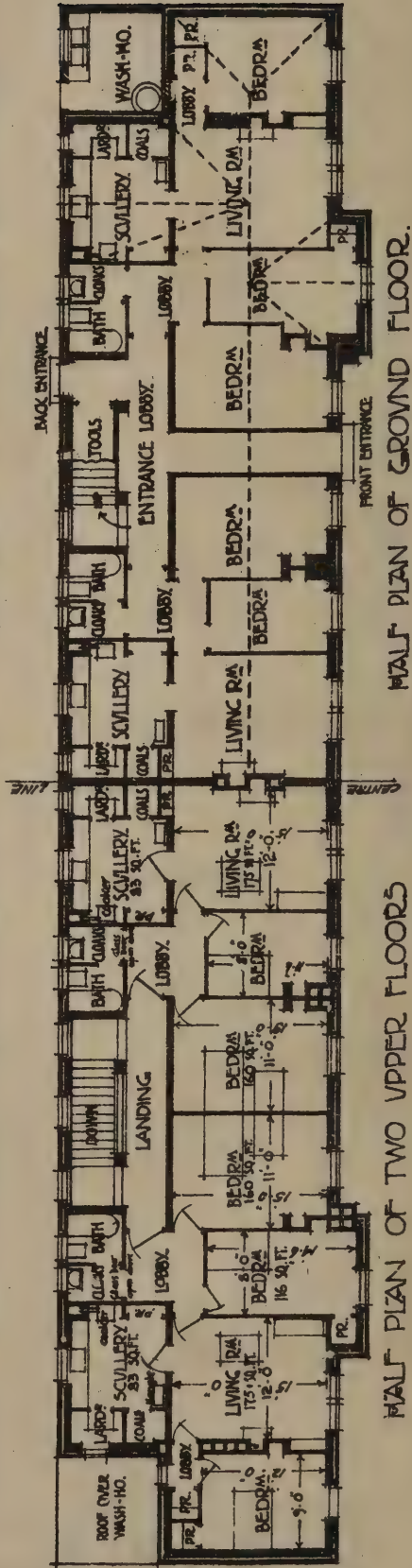




HALF FRONT ELEVATION

SECTION

PART OF BACK ELEVATION



HALF PLAN OF TWO UPPER FLOORS

HALF PLAN OF GROUND FLOOR.



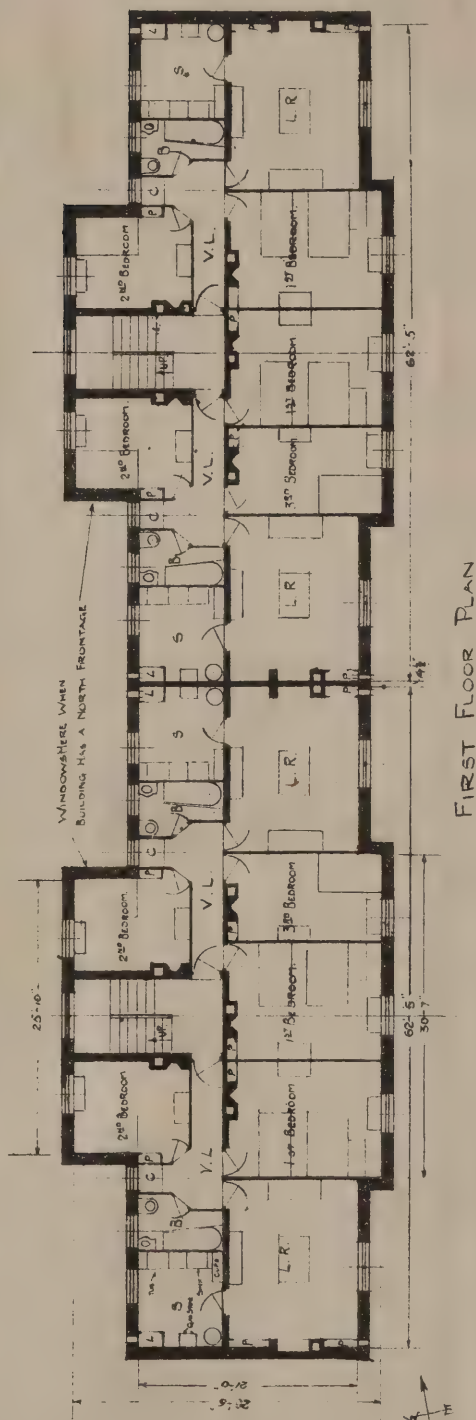




APARTMENTS	SIZE	AREA sq. ft.
<b>GROUND FLOOR</b>		
LIVING ROOM	13'-6" x 12'-5"	193
GALLERY & LARDER	8'-0" x 9'-0"	72
BATH, W.C. & LAVATORY	5'-6" x 8'-0"	25
1 <sup>ST</sup> BEDROOM	11'-0" x 14'-6"	160
2 <sup>ND</sup>	14'-5" x 8'-6"	128

V.	DEMOTES	VESTIBULE
Y.L	.	VENTILATED LOBBY
L	.	LARGER.
C	.	COALS
P.	.	PRESS
B.	.	BATH LAVATORY, & W.C.
LR	.	LIVING ROOM
S	.	SCULLERY.

SECOND FLOOR PLAN.



FIRST FLOOR PLAN

UPPER FLOORS		
LIVING ROOM	18'-5" x 12'-3"	19'-3"
SCULLERY & LARDER	8'-0" x 9'-0"	7'-5"
BATH, W.C. & LAVATORY	5'-6" x 8'-0"	7'-2"
1 <sup>ST</sup> BEDROOM	11'-0" x 11'-6"	16'-0"
2 <sup>ND</sup>	8'-8" x 11'-0"	9'-9"
3 <sup>RD</sup>	8'-3" x 10'-6"	11'-9"

CUBIC CONTENTS  
107.877 CUB. FT.  
FOR 1 BLOCK OF 12 HOUSES.

MATERIALS

FLOORS & FOUNDATIONS CONCRETE  
& CEMENT FINISH  
WALLS UPPER FLOORS BRICK  
ROUGH CASTED. GROUND  
FLOOR RUBBLE STONE WITH  
BRICK INTERNAL LINING

BRICK INTERNAL LINING  
PARTITIONS CONCRETE SLAB  
ROOF IF TIMBER IS PROHIBITIVE &  
SUFFICIENT TIME IS ALLOWED  
FOR HARDENING; PLAIN CONCRETE  
RAFTERS & IRON STRAPS OR  
IRON BAR CEILING JOISTS ARE  
PROPOSED.



WOOD BATTENS  
HELD BY HOOP

HOOP | IRON  
WIRE ON  
WHEELS HEREON

IRON STRAPPING

PLAIN CONCRETE RAFTERS  
WITH REINFORCING RODS TO  
THE BOTTOM

WINDOWS WOOD CASEMENT & SHUTTERS  
TO STANDARD SIZES.  
FITTINGS ALL TO STANDARD SIZES.







## APPENDIX I.

THE HOUSING (INSPECTION OF DISTRICT) REGULATIONS, 1910. DATED SEPTEMBER 2, 1910,  
(55,578.)

To the several Local Authorities in England and Wales for the purposes of Part II. of the Housing of the Working Classes Act, 1890 :—  
And to all others whom it may concern.

Whereas by sub-section (1) of Section 17 of the Housing, Town Planning, &c., Act, 1909, it is enacted that it shall be the duty of every local authority within the meaning of Part II. of the Housing of the Working Classes Act, 1890 (hereinafter referred to as "the local authority") to cause to be made from time to time inspection of their district, with a view to ascertain whether any dwelling-house therein is in a state so dangerous or injurious to health as to be unfit for human habitation, and that for that purpose it shall be the duty of the local authority, and of every officer of the local authority, to comply with such regulations and to keep such records as may be prescribed by the Local Government Board.

Now, therefore, We, the Local Government Board, in pursuance of the powers given to Us in that behalf, by this Order, prescribe the following Regulations : that is to say :—

Article I.—(1) The local authority shall as early as practicable after the date of this Order take into consideration the provisions of sub-section (1) of Section 17 of the Act of 1909, and shall determine the procedure to be adopted under these Regulations, to give effect to the requirements of that sub-section in regard to the inspection of their district from time to time.

(2) The local authority shall as part of their procedure make provision for a thorough inspection to be carried out from time to time according to the varying needs or circumstances of the dwelling-houses or localities in the district of the local authority.

(3) The local authority shall cause to be prepared from time to time by the Medical Officer of Health, or by an officer designated by them, but acting under his direction and supervision, a list or lists of dwelling-houses the early inspection of which is, in the opinion of the Medical Officer of Health, desirable. The list or lists may, if thought fit, relate to the dwelling-houses within a defined area of the district without specifying each house separately therein.

Article II.—The inspection under and for the purposes of sub-section (1) of Section 17 of the Act of 1909 shall be made by the Medical Officer of Health, or by an Officer designated by the local authority, but acting under his direction and supervision, and the Officer making inspection of any dwelling-house shall examine the state of the dwelling-house in relation to the following matters, namely :—

- (1) The arrangements for preventing the contamination of the water supply.
- (2) Closet accommodation.
- (3) Drainage.
- (4) The condition of the dwelling-house in regard to light, the free circulation of air, dampness, and cleanliness.
- (5) The paving, drainage, and sanitary condition of any yard or out-houses belonging to or occupied with the dwelling-house.
- (6) The arrangements for the deposit of refuse and ashes.
- (7) The existence of any room which would in pursuance of sub-section (7) of Section 17 of the Act of 1909 be a dwelling-house so dangerous or injurious to health as to be unfit for human habitation.
- (8) Any defects in other matters which may tend to render the dwelling-house dangerous or injurious to the health of an inhabitant.

Article III.—Records of the inspection of dwelling-houses made under and for the purposes of sub-section (1) of Section 17 of the Act of 1909 shall be prepared under the direction and supervision of the Medical Officer of Health, and shall be kept by the Officer of the local authority making the inspection or by some other Officer appointed or employed for the purpose by the local authority.

The records may be kept in a book or books or on separate sheets or cards, and shall contain information, under appropriate headings, as to :—

1. The situation of the dwelling-house, and its name or number.
2. The name of the Officer who made the inspection.
3. The date when the dwelling-house was inspected.
4. The date of the last previous inspection and a reference to the record thereof.
5. The state of the dwelling-house in regard to each of the matters referred to in Article II. of these Regulations.
6. Any action taken by the Medical Officer of Health, or other Officer of the local authority either independently or on the directions of the local authority.
7. The result of any action so taken.
8. Any further action which should be taken in respect of the dwelling-house.

Article IV.—The local authority shall, as far as may be necessary, take into consideration at each of their ordinary meetings the records kept in pursuance of Article III. of these Regulations, and shall give all such directions and take all such action within their powers as may be necessary or desirable in regard to any dwelling-house to which the records relate, and a note of any directions so given and the result of any action taken shall be added to the records.



Article V.—The Medical Officer of Health shall include in his Annual Report information and particulars in tabular form in regard to the number of dwelling-houses inspected under and for the purposes of Section 17 of the Act of 1909, the number of dwelling-houses which on inspection were considered to be in a state so dangerous or injurious to health as to be unfit for human habitation, the number of representations made to the local authority with a view to the making of closing orders, the number of closing orders made, the number of dwelling-houses the defects in which were remedied without the making of closing orders, the number of dwelling-houses which after the making of closing orders were put into a fit state for human habitation and the general character of the defects found to exist. He shall also include any other information and particulars which he may consider desirable in regard to the work of inspection under the said Section.

Article VI.—The Medical Officer of Health and any other Officer of the local authority shall observe and execute all lawful orders and directions of the local authority in regard to or incidental to the inspection of the district of the local authority under and for the purposes of Section 17 of the Act of 1909 and the execution of these Regulations.

Article VII.—In these Regulations “the Act of 1909” means the Housing, Town Planning, &c., Act, 1909.

Article VIII.—These Regulations may be cited as the Housing (Inspection of District) Regulations, 1910.

Given under the Seal of Office of the Local Government Board, this Second day of September, in the year One thousand nine hundred and ten.

(L.S.)

JOHN BURNS,  
*President.*

H. C. MONRO,  
*Secretary.*



## APPENDIX II.

MINISTRY OF HEALTH,

Whitehall, S.W.1.

30th August, 1919.

## HOUSING : COUNTY MEDICAL OFFICERS OF HEALTH.

SIR,

1. I am directed by Dr. Addison to state that he has had under consideration the measures to be adopted for obtaining medical advice on matters relating to housing, particularly medical advice on questions touching unfit houses and unhealthy areas, for the housing staffs of the Ministry in the several Regions.

As you are aware, the Ministry are empowered, under Section 68 of the Housing and Town Planning Act of 1909, to impose duties on County Medical Officers of Health ; and an Order was issued on the 29th July, 1910, in which, among other matters, important duties concerning housing in his district were imposed on the County Medical Officer of Health.

2. In order to avail himself of the local knowledge of the County Medical Officers of Health, and to avoid overlapping, Dr. Addison is desirous of using their services for advising the regional housing staff of the Ministry on housing matters within the county districts of the Medical Officers.

The duties which Dr. Addison wishes the County Medical Officer to perform in this respect are as follows :—

- (a) To report on any matter touching housing in the county district which may be referred to the County Medical Officer by the Housing Commissioner or on his behalf. It is expected that in many cases the report need be but brief ; and can readily be made by the Medical Officer from information already at his disposal :
- (b) To make investigation, personally or through competent officers as may be necessary, in any case in the county district in which such investigation may be desired by the Housing Commissioner or on his behalf. Where, for the purposes of such an investigation, the Medical Officer has not the necessary lay subordinate staff, it may be possible in some cases to supply the required assistance from the regional staff of the Ministry.

It will be important to secure the utmost dispatch in all cases, and it is proposed that the County Medical Officer shall, when acting in co-operation with the Housing Commissioner, report directly to him.

In addition, it is proposed that monthly conferences shall be held, presided over by the Housing Commissioner or his deputy, and attended by each County Medical Officer in the region. It is anticipated that these conferences will be very helpful to the Ministry in connection with their work in county areas under the Housing Acts.

3. The medical staff at the Ministry, which will be strengthened in order to cope with the many questions relating to housing which will have to be dealt with by the Department, will deal directly with matters relating to county boroughs, and also, in any special cases where this may be expedient, with other areas. In so far as arrangements will permit, it is intended that a Medical Officer of the Department shall be present at the monthly conferences with the County Medical Officers.

4. It is important to bear in mind that the primary responsibility in connection with housing rests with the local sanitary authority. It is the business of the local Medical Officer of Health and his staff to make themselves familiar with the housing conditions in their district, so far as the matter comes within their purview ; and it is not desired, nor would it make for good administration, that the County Medical Officer should in any way endeavour to supersede the local Medical Officer in this matter. In case of default the County Medical Officer may himself become primarily responsible for the housing work within an area ; but it is hoped that cases of this kind will be few, if any at all occur.

What is desired, and what Dr. Addison feels sure your Council will do their utmost to obtain, is the fullest co-operation between not only the County Medical Officer and the local Medical Officer, but also between the county council and the local sanitary authorities within their areas. The housing task before the country is one of enormous dimensions, and it can be fulfilled only by the energy and combined effort of all the authorities and officials who are concerned with it.

5. Dr. Addison requests that a copy of this circular letter may be handed to the Medical Officer of Health.

I am, Sir,

Your obedient Servant,

JOHN ANDERSON,

*Secretary.*

The Clerk to the County Council.



## APPENDIX III.

**Loans under Section 22 of the Housing Town Planning, &c., Act, 1919.**

1. Form of Application by Owner for Loan for the purpose of carrying out works for reconstruction, enlargement or improvement of a house.

This form should be completed in duplicate and sent by the owner to the Clerk to the Local Authority for the district in which the house is situated.

- (1) Name of owner ... ..
- (2) Address ... ..
- (3) Address of house in respect of which application is made ... ..
- (4) Rateable value ... ..
- (5) Nature of owner's interest, *i.e.*, whether freehold, copyhold or leasehold. If leasehold, the date on which the lease expires should be stated
- (6) Is the house occupied at present? If so—
  - (a) Name of occupier ... ..
  - (b) his occupation or business ... ..
  - (c) by whom is the rent received... ..
- (7) Are there any charges on the property? (If so, give particulars) ... ..
- (8) Particulars of the works of reconstruction, enlargement or improvement for which the loan is sought. (If full particulars of these works are given in the estimate (*see* next question) they need not be given here) ... ..
- (9) Estimated cost of works. (Two copies of estimate should be attached) ... ..
- (10) Do you undertake to let the house solely to persons of the working classes?... ..
- (11) What rent is it proposed to charge for the house when reconstructed, enlarged or improved? ... ..
- (12) Amount of loan for which application is made...
- (13) What security is offered for repayment of loan? ... ..

Signed .....

Address .....

Date .....

2. Documents to be forwarded by the Local Authority to the Housing Commissioner in connection with any application for sanction to a loan for the purposes of Section 22 of the Act of 1919.

- (1) Copy of resolution of the Local Authority applying to the Minister of Health for sanction to a loan.
- (2) Copy of form or forms of application received from owner (or owners) and of documents forwarded by him.
- (3) Copy of Valuation of the owner's interest in the house (or houses) by the Inland Revenue Valuer.
- (4) It should be stated whether any Closing Order or other Order or Notice has been served in respect of the house. Particulars should be given of any Order or Notice which has been served.



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# MINISTRY OF HEALTH.

THE ROYAL SOCIETY  
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OF HEALTH  
LIBRARY

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## MANUAL

ON

## UNFIT HOUSES

AND

## UNHEALTHY AREAS.

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### VOLUME II.

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### LEGAL POWERS AND DUTIES OF LOCAL AUTHORITIES.



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## VOLUME II.

LEGAL POWERS AND DUTIES OF  
LOCAL AUTHORITIES.

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## CHAPTER XIII.

POWERS AND DUTIES OF LOCAL AUTHORITIES UNDER  
THE PUBLIC HEALTH ACTS.**General powers and duties.**

1. Under the Public Health Acts it is the duty of every Local Authority to inspect their district in order to abate nuisances.

Any premises in such a state as to be a nuisance or injurious to health and any pool, ditch, gutter, water-course, privy, urinal, cesspool, drain or ashpit, so foul or in such a state as to be a nuisance or injurious to health, and any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates, are to be deemed to be nuisances liable to be dealt with summarily under the Act (secs. 91-111, Public Health Act, 1875).

The corresponding provisions in London are contained in sections 2-16 of the Public Health (London) Act, 1891.

2. The following matters also may be dealt with under the Public Health Acts; the sections of the Public Health Act, 1875, here referred to are summarised in appendix I., page 50 :—

Any house without sufficient drainage (sec. 23) ;

Any house without sufficient closet accommodation, or a sufficient receptacle for refuse (sec. 36) ;

Examination of drains, privies, &c., on complaint of nuisance (sec. 41) ;

Any house without a proper water supply (sec. 62 and, as regards rural districts, the Public Health (Water) Act, 1878.)

As regards the Metropolis, provisions are contained in the Public Health (London) Act, 1891, as to closets, ashpits, drains and cesspools (sections 37-43), and as to water supply (sections 48-50).

3. The provisions restricting or prohibiting the letting or occupation of cellar dwellings and the use of underground rooms as sleeping places, are summarised in appendix I., page 52.

**Additional Powers.**

4. The following additional powers are available to local authorities where the respective sections of the Public Health Acts Amendment Act, 1907, have been put in force by an order of the Local Government Board, or are put in force by an order of the Minister of Health :—

Special power to require the paving and drainage of yards (sec. 25) ;

Special power to require the provision of water closets in place of other forms of closet accommodation (sec. 39) ;

Special power as to testing drains (sec. 45) ;

Special power to require the provision of sinks and drains for carrying off refuse water (sec. 49) ;

Power to deal with the following defects summarily as nuisances :—

Any cistern for the supply of water for domestic purposes so placed constructed or kept as to render the water therein liable to contamination causing or likely to cause risk to health ; or

Any gutter, drain, shoot, &c., causing dampness in a building (sec. 35).

**Power of Local Authority to execute works : Appeals.**

5. Under sections 23, 36, 41 and 62 of the Public Health Act, 1875, and sections 25, 45 and 49 of the Public Health Acts Amendment Act, 1907, the Local Authority may, in default of the owner, do the necessary works and recover the expenses from him. Any person deeming himself aggrieved by the decision of the Local Authority may appeal to the Minister of Health under section 268 of the Public Health Act, 1875, the effect of which is set out in appendix I., page 51.



## CHAPTER XIV.

## POWERS AND DUTIES UNDER THE HOUSING ACTS.

**Duty to make periodical inspection of district.**

1. It is the duty of the Local Authority to cause a thorough inspection of the dwelling houses or localities in their district to be carried out from time to time by the Medical Officer of Health, or by an officer designated by the Local Authority but acting under the Medical Officer's direction and supervision, in order to ascertain whether any dwelling house in the district is in a state so dangerous or injurious to health as to be unfit for habitation (sec. 17 (1) /09 and Housing (Inspection of District) Regulations, 1910 ; these Regulations are set out in appendix I. to Volume I.

The necessary power to enter any premises for the purpose of survey and examination is contained in section 36/09.

2. Full records are to be kept giving information under prescribed headings as to the inspection under the Housing Acts and action taken on it ; and the Local Authority are, as far as may be necessary, to consider the records at each of their ordinary meetings, and to take all necessary action in regard to any dwelling house to which the records relate (Housing (Inspection of District) Regulations, 1910).

It is the duty of the Medical Officer of Health, in the case of any dwelling house which appears to him to be in a state so dangerous or injurious to health as to be unfit for human habitation, to make a written representation to the Local Authority, stating that the dwelling house appears to him to be in such a state (secs. 30 /90 & 79 (2) /90).

**Complaint of Justice of Peace or four householders.**

3. It is also the duty of the Medical Officer forthwith to inspect and, if necessary, to represent to the Local Authority, any house in regard to which complaint in writing has been made to him by any Justice of the Peace, or any four householders, that it is in a condition so dangerous or injurious to health as to be unfit for human habitation (secs. 31 /90 and 39 /19).

Where it appears to the Minister of Health that the Local Authority have failed to carry out the inspection of their district as required by the Act of 1909, he may, by order, require them to remedy the default within a time fixed by the order. The order may be enforced by proceedings in the High Court (sec. 11 /09).

**Notices requiring repairs.**

4. Under section 15 of the Housing, Town Planning, &c. Act, 1909, the Local Authority may serve a Notice on the landlord of a house which is not in all respects reasonably fit for human habitation requiring him to execute any necessary works.

This section applies only to houses let since the 3rd December, 1909, and of which the rental does not exceed certain limits. There is an appeal to the Minister of Health against Notices served under it and the landlord may instead of repairing the house declare it to be closed.

If the landlord does not do the works and does not declare the house to be closed the local authority may do the works and may, subject to an appeal to the Minister of Health, recover the expenses from him.

5. Fuller powers for securing that an unfit dwelling shall be rendered in all respects reasonably fit, whether the defects are dangerous or injurious to health or not, are now given by section 28 of the Act of 1919.

This section provides that, if the owner of any house suitable for occupation by persons of the working classes fails to make and keep it in all respects fit for human habitation, the Local Authority may serve Notice on the owner requiring him within a reasonable time, not being less than 21 days, to execute such works as may be necessary ; the prescribed form of Notice is given in appendix IV., page 65. If the house is not capable, without reconstruction, of being rendered fit for human habitation, the owner may within 21 days after the receipt of the Notice, by written notice to the Local Authority, declare his intention of closing the house for human habitation.



The house is then to be treated as if a Closing Order had been made and become operative in respect of it. Any question arising in this matter is, in case of difference between the owner and the Local Authority, to be determined by the Minister of Health. In this section "Owner" has the same meaning as in the Public Health Act, 1875 (see page 52).

#### **Power of Local Authority to execute repairs.**

6. If the owner does not comply with the requirements and does not give notice declaring the house to be closed, the Local Authority may, at the expiration of the period specified in the Notice requiring the execution of works, themselves do the work and recover the expenses from him.

In a case in which the owner has given notice declaring the house to be closed, but the Minister of Health has determined that the house can be made fit for habitation without reconstruction, if then the owner fails to carry out the required repairs within 21 days of the date when the Minister gave his decision, the Local Authority may step in and do the work, as stated above.

Any expenses incurred by the Local Authority in doing the work may be recovered from the owner, together with interest at a rate not exceeding five per cent., in a court of summary jurisdiction, and until recovery are to be a charge on the premises.

The Local Authority may by order declare the expenses to be payable by monthly or annual instalments within a period not exceeding thirty years, with interest at a rate not exceeding 5 per cent., and any such instalments or interest may be recovered in a summary manner from the owner or occupier. If recovered from the occupier, the amount may be deducted by him from the rent.

#### **Closing Orders.**

7. If on the representation of the Medical Officer of Health, or of any other officer, or other information given (see page 46 as to representations by County Medical Officers of Health), any dwelling house appears to the Local Authority to be in a state so dangerous or injurious to health as to be unfit for human habitation, the Authority are required to make a Closing Order.

Any owner aggrieved by the Order may appeal to the Minister of Health within 14 days after the service of the notice of the order (sec. 17 (2) /09).

If no appeal is made, or if an appeal is made and is dismissed or abandoned, the Closing Order becomes operative.

Nothing in the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915, and the enactments amending that Act is to affect the right of a Local Authority to make and enforce a Closing Order (sec. 35 /19).

8. Where a Closing Order has become operative, the Local Authority are required to serve notice of it on the occupier of the dwelling house ordering him to quit it within a specified period, not being less than 14 days.

Unless the dwelling-house has been made unfit by the wilful act or default of the tenant, the Local Authority may pay him a reasonable allowance on account of his expense of removing, and the allowance is recoverable from the owner (sec. 17 (4) (5) /09).

If any owner of a house in respect of which a Closing Order is in force or any other person lets or attempts to let, or occupies or permits to be occupied, that house or any part of it as a dwelling house, he is liable on summary conviction to a fine not exceeding £20 (sec. 32 /19).

9. If a house is rendered fit for habitation after a Closing Order has been made, the Local Authority are required to determine the Order, and it then ceases to be in force. If they refuse to do so, the owner may appeal to the Minister against their refusal (sec. 17(6) /09).

#### **Demolition Orders.**

10. Where a Closing Order has remained operative for a period of three months, the Local Authority are to take into consideration the question of the demolition of the dwelling house, and are to give every owner of the dwelling house notice of the time



(which must not be less than one month after service of the Notice) and place at which the question will be considered. Any owner is entitled to be heard when the question is considered.

If upon such consideration the Local Authority are of opinion that the dwelling house has not been rendered fit, and that the necessary steps are not being taken with all due diligence to render it fit, or that the continuance of the dwelling house, or any part of it, is a nuisance or dangerous or injurious to the health of the public, or of the inhabitants of the neighbouring dwelling houses, they are to order the demolition of the building.

If any owner undertakes to execute forthwith the works necessary to render the dwelling house fit for human habitation, the Local Authority may postpone the operation of the Order for a period not exceeding six months; and, if the necessary works are completed, they are to determine the Closing and Demolition Orders relating to the dwelling house.

(Secs. 18 (1) (2) (3) /09, 39 (1) /19.)

11. Notice of an Order for the demolition of a building is to be served forthwith on every owner of the building, and any owner aggrieved may appeal to the Minister of Health within 21 days after the Notice is served on him, or, where the operation of the Order has been postponed for any period, within 14 days after the expiration of that period (secs. 18 (4) /09, 39 (1) /19).

If a Demolition Order has become operative and the owner fails within three months to demolish the building, the Local Authority may do so, and may sell the materials to pay expenses and may recover any deficiency from the owner (secs. 34 /90, 9 /03 and 46 /09).

### **Conversion of houses into tenements.**

12. A number of houses now remain unoccupied because, owing to changes in the character of the neighbourhood, they can no longer be let as single tenements. In some cases the houses are held under a lease containing provisions which prevent them from being converted into two or more tenements. In such cases application may now be made, by the Local Authority or the lessee, to the County Court who may authorise the conversion of the houses (sec. 27 /19).

Where there are provisions in a lease which would prevent compliance with byelaws which will apply if the house is converted into two or more tenements, the Local Authority may apply to the County Court for the provisions to be relaxed so as to make it possible to comply with the byelaws. Application may also be made, where the Local Authority consider that the whole or part of the expenses of complying with the byelaws should be borne by the lessor or the superior landlord, for a Charging Order, charging on the premises an annuity to repay the expenses properly incurred. Where a Local Authority have themselves acquired a leasehold interest in any house, the Minister of Health may, on the application of the Local Authority, make a similar Order relaxing the provisions of the lease or charging an annuity on the premises (sec. 26 /19).

### **Power to superior landlord to execute works.**

13. The enforcement of necessary repairs has frequently been rendered difficult by the fact that the immediate landlord had little interest in the property, and was unwilling or unable to do what was required. This difficulty is met by section 30 of the Act of 1919, under which if the premises are or are likely to become dangerous or injurious to health or unfit for human habitation the Court may authorise the superior landlord if his interests are prejudiced to enter and execute any necessary works.

### **Loans to owners.**

14. A Local Authority may lend money to the owner of a house or building for works of reconstruction, enlargement, or improvement, which will render the house or building in all respects fit for habitation as a house or houses for the working classes.

The loan is not to exceed one-half of the estimated value of the property mortgaged unless some collateral security is given.



Full particulars of the works are to be submitted to the Local Authority, and they must satisfy themselves that the works have been efficiently carried out before they make any loan.

The Local Authority may borrow for the purpose of such loans in the same manner as for the purposes of Part III. of the Act of 1890.

(sec. 22/19.)

### Requirements as to tenement houses.

15. A common evil is the letting of a house in lodgings to more families or lodgers than can be decently accommodated in it. The power under section 90 of the Public Health Act, 1875, to make byelaws as to houses let in lodgings for the working classes has now, by section 26\* of the Act of 1919, been extended, so that in the case of houses intended or used for occupation by the working classes proper accommodation for each person or family may be more effectually secured. Byelaws may now be made for the following matters (provisions which are new are printed in italics) :—

- (a) Fixing, and from time to time varying, the number of persons who may occupy a house or part of a house, which is let in lodgings or occupied by members of more than one family and for the separation of the sexes ;
- (b) The registration and inspection of the houses ;
- (c) Enforcing drainage and promoting cleanliness and ventilation of the houses ;
- (d) Requiring provision *adequate for the use of and readily accessible to each family of—*
  - (i) closet accommodation ;
  - (ii) *water supply and washing accommodation ;*
  - (iii) *accommodation for the storage, preparation and cooking of food ;*  
and, where necessary, for securing separate accommodation, as aforesaid, for every part of the house which is occupied as a separate dwelling ;
- (e) *Keeping in repair and adequately lighting any common staircase in the houses ;*
- (f) *Securing stability, and the prevention of and safety from fire ;*
- (g) The cleansing and redecoration of the premises at stated times, and the paving of the courts and courtyards ;
- (h) *The provision of handrails, where necessary, for all staircases in the houses ;*
- (i) *Securing the adequate lighting of every room in the houses.*

*Any such byelaws, in addition to any other penalty, may prohibit the letting for occupation by members of more than one family of any such house unless the byelaws are complied with ; but, in the case of houses so let or occupied at the time when the byelaws come into force, reasonable time must be allowed for executing any works necessary to comply with the byelaws.*

A form of model byelaws to deal with these matters is given in appendix VI., page 87.

In the County of London, any such byelaws are to be made by the County Council, and are to be observed and enforced by each Metropolitan Borough Council with the exception that byelaws for securing stability and the prevention of and safety from fire are to be enforced by the County Council.

In the City of London byelaws of this kind are to be made and enforced by the Common Council, with the same exception as stated above.

As regards the water supply of tenement houses in London special powers are contained in section 78 of the London County Council (General Powers) Act, 1907, which is summarised in appendix I., page 51.

### Purchase and improvement of houses by Local Authorities.

16. A Local Authority may, under Part III. of the Act of 1890 as extended by section 12/19, buy houses and alter, enlarge, repair and improve them so as to render them in all respects fit for habitation as houses for the working classes.

A separate Manual has been issued by the Ministry dealing with the purchase of houses under this section for conversion into tenements.

### Obstructive buildings.

17. Under section 38 of the Housing Act of 1890 it is the duty of the Medical Officer of Health to make the necessary representation to the Local Authority for the pulling down of a building, if he finds that the building, by reason of its proximity to or contact with any other buildings—

\* Some provisions of this section have been referred to above under the heading " Conversion of houses into tenements."



- (a) stops or impedes ventilation, or otherwise makes or conduces to make the other buildings to be in a condition unfit for human habitation, or dangerous or injurious to health ; or
- (b) prevents proper measures from being carried into effect for remedying any nuisance injurious to health or other evils complained of in respect of those other buildings.

A similar representation may be made by any Justice of the Peace acting for a district, or any four or more inhabitant householders.

18. The Local Authority, on receiving such a representation, are to cause a report to be made to them as to the circumstances of the building and the cost of pulling it down and acquiring the land. If they decide to proceed, they may, after hearing any objections which the owner has to make, order the obstructive building to be pulled down. The owner has the same right of appealing against the Order as against a Demolition Order.

If no appeal against the Order is made, or an appeal is made and either fails or is abandoned, the Local Authority may purchase the lands on which the obstructive building is erected either by agreement or compulsorily.

The owner may, within one month after notice to purchase the land is served on him, declare that he desires to retain the site of the obstructive building, and undertake either to pull down or to permit the Local Authority to pull down the obstructive building. In such case the owner is to retain the site and to receive compensation for the pulling down of the building.

19. The amount of compensation to be paid for the purchase of the land or for the pulling down of the building is, in case of difference, to be settled by arbitration.

Where part only of a holding is proposed to be taken as obstructive, and the arbitrator considers that it can be severed from the remainder without material detriment thereto, the owner cannot insist on the entire holding being taken, but the arbitrator may award compensation in respect of the severance.

Where, in the opinion of the arbitrator, the demolition of an obstructive building adds to the value of the other buildings, the arbitrator is to apportion so much of the compensation to be paid for the demolition of the obstructive building as may be equal to the increase in value of the other buildings amongst the other buildings.

20. Where the lands are purchased by the Local Authority, they are to pull down the obstructive building and to keep the whole site, or so much of it as is necessary, as an open space. They may, with the assent of the Minister of Health, sell any portion of this site which is not required as an open space.

The Local Authority may dedicate any land acquired by them under the section as a highway or other public place.

(secs. 38/90, 28/09, 46/09 and 39/19.)

## CHAPTER XV.

### POWERS AND DUTIES IN RESPECT OF UNHEALTHY AREAS.

#### General observations on schemes for the clearance or reconstruction of unhealthy areas.

1. Improvement schemes for the clearance or reconstruction of slum areas may be made under Part I. or Part II. (section 39) of the Housing of the Working Classes Act, 1890, as amended by subsequent Acts. Schemes under Part II. (section 39) of the Act are referred to in the Acts as reconstruction schemes, but as there is generally no practical difference, except in size, between such schemes and improvement schemes under Part I., the two kinds of scheme are in this Manual both referred to as "Improvement Schemes" and are distinguished as "Part I." and "Part II." Schemes respectively.



Both kinds of scheme usually provide for—

- (a) the purchase, compulsorily or by agreement, of the whole of an area ;
- (b) the demolition of buildings on the area which are themselves insanitary or which would interfere with the re-development of the area on satisfactory lines ;
- (c) the proper laying out of the area with convenient streets and any necessary open spaces ;
- (d) the erection on the area, or elsewhere, of sufficient dwelling accommodation in respect of persons of the working classes displaced by the scheme ;
- (e) the disposal of any surplus lands.

Financial assistance from the State will be available for both classes of schemes.

### **Authorities.**

2. The London County Council, the Common Council of the City of London, and the Councils of Boroughs and other urban districts outside London can make both Part I. and Part II. schemes. Metropolitan Borough Councils and Rural District Councils can make Part II. schemes but not Part I. schemes (sec. 92 and First Schedule/90).

The London County Council may contribute or may be required by the Minister of Health to contribute towards the expenses incurred by a Metropolitan Borough Council in carrying out a Part II. scheme, and a Metropolitan Borough Council may contribute, or may be required by the Minister of Health to contribute, towards the expenses of a Part II. scheme carried out by the London County Council (secs. 46/90, 14/03 and 33/09).

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### *Part I. Schemes.*

#### **Duties of the Medical Officer of Health as to inspection and representation of areas.**

3. It is the duty of the Medical Officer of Health, in a district other than a rural district, to make a written representation (known as an "official representation") to the Local Authority in regard to any area which appears to him to be an area of the character described in section 4 of the Act of 1890. Such an area is one within which either—

- (a) any houses, courts or alleys are unfit for human habitation, or
- (b) the narrowness, closeness, and bad arrangement or bad condition of the streets and houses, or groups of houses, or the want of light, air, ventilation or proper conveniences, or any other sanitary defects, or one or more of such causes, are dangerous or injurious to the health of the inhabitants of the buildings in the area or of the neighbouring buildings.

A further condition required to justify an "official representation," is that the most satisfactory method of dealing with the evils is an improvement scheme for the re-arrangement and reconstruction of the streets and houses in the area, or some of them (sec. 22/09).

In London, any Medical Officer of Health, whether appointed by the London County Council or by a Metropolitan Borough Council, may make such a representation to the London County Council. If a representation is made to the London County Council in regard to an area comprising not more than ten houses they are to direct the Medical Officer of Health to represent the case to the Metropolitan Borough Council, who are to deal with it under Part II. (Secs. 5/90 and 72/90).

4. If any Justice of the Peace acting within the district or any six ratepayers complain to the Medical Officer of Health of the unhealthiness of any area, it is the duty of the latter forthwith to inspect the area and make a report on it.

Where in any district (other than a rural district) a complaint of this kind has been made to the Medical Officer of Health and the Medical Officer has failed to



inspect the area, or has reported to the effect that in his opinion the area is not an unhealthy area, the complainant (or complainants) may appeal to the Minister of Health. The Minister may appoint a person to inspect the area, and to make a representation to him stating the facts of the case. The representation is to be transmitted by the Minister to the Local Authority, and if it states that the area is an unhealthy area, the Local Authority are to proceed as if it were an official representation made to them.

(Secs. 5(2)/90, 16/90, 26/09 and 39/19.)

### **Duty of the Local Authority to make Part I. Schemes.**

5. Where an "official representation," as described above, has been made to a local authority (not being a Metropolitan Borough Council or a Rural District Council), the Local Authority, if satisfied of the truth of the representation, and of the sufficiency of their resources,\* are to pass a resolution to the effect that the area is an unhealthy one and that an improvement scheme ought to be made in respect of it. (sec. 4/90.)

### **Failure of Local Authority to make an Improvement Scheme.**

6. Where an official representation under Part I. is made to the Local Authority with a view to their passing a resolution in favour of an improvement scheme, and they fail to pass a resolution, or pass a resolution that they will not proceed with a scheme, the Local Authority are required to send a copy of the official representation and their reasons for not acting upon it to the Minister of Health.

The Minister may direct a local inquiry to be held, and, where necessary, may order a scheme to be made, either under Part I. or under Part II. of the Act of 1890,

(secs. 10/90 and 4/03.)

### **Contents of Part I. Schemes.**

7. A Part I. scheme must be accompanied by maps, particulars and estimates, and :—

- (a) may exclude any part of the area included in the official representation ;
- (b) may include any neighbouring lands for the purpose of making the scheme efficient ;
- (c) may provide for widening any existing approaches to the unhealthy area or otherwise for opening out the same for the purposes of ventilation or health ;
- (d) must provide such dwelling accommodation, if any, as is necessary for persons of the working classes who are displaced ;
- (e) must provide for proper sanitary arrangements ;
- (f) may provide for any other matter (including the closing and diversion of highways) for which it seems expedient to make provision with a view to the improvement of the area or the general efficiency of the scheme.

The scheme must distinguish the lands proposed to be taken compulsorily.

Provision may also be made for the scheme, or any part of it, to be carried out by any person having such interest in any property comprised in the scheme as may be sufficient to enable him to carry out the same under the supervision and control of the Local Authority and on such terms and conditions (which must be embodied in the scheme) as may be agreed upon between him and the Local Authority.

(secs. 6/90, 23(1)/09, and 39/19.)

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\* The financial assistance from the State which is now available must be borne in mind in this connection.



*Part II. Schemes.***Duty of the Local Authority to make Part II. Schemes.**

8. It is the duty of the Local Authority to make a Part II. scheme in either of the two following sets of circumstances :—

- (a) Where an Order for the demolition of a building has been made under Part II. of the Act of 1890, and it appears to the Authority that it would be beneficial to the health of the inhabitants of the neighbouring houses if the land were :—
  - (1) dedicated as a highway or open space ; or
  - (2) appropriated, sold or let for the erection of dwellings for the working classes ; or
  - (3) exchanged with other neighbouring land which is more suitable for the erection of such dwellings ; or
- (b) Where it appears to the Local Authority that the closeness, narrowness, and bad arrangement or bad condition of any buildings, or the want of light, air, ventilation, or proper conveniences, or any other sanitary defect in any buildings is dangerous or prejudicial to the health of the inhabitants of the said buildings, or of the neighbouring buildings, and that the demolition or the reconstruction and re-arrangement of the said buildings, or of some of them is necessary to remedy the evils, and that the area comprising those buildings and the yards, out-houses, and appurtenances thereof, and the site thereof, is too small to be dealt with as an unhealthy area under Part I. of the Act.  
(sec. 39(1)/90.)

**Size of Part I. and Part II. Schemes.**

9. There is no provision in the Acts prescribing the minimum size of an area for a Part I. Scheme or the maximum size of an area for a Part II. scheme.

In London, as mentioned above, any unhealthy area comprising not more than 10 houses is to be dealt with under Part II. (sec. 72/90). Part II. schemes may, however, be made for considerably larger areas.

**Contents of Part II. Schemes.**

10. Provision may be made in a Part II. scheme for any matters for which provision may be made in a Part I. Scheme (secs. 7/03 and 23 (2)/09 ; see page 42).

*Part I. and Part II. Schemes.***Re-housing.**

11. Both Part I. and Part II. schemes may provide for the erection, either within the area of the scheme or elsewhere, of dwellings for persons of the working classes who are displaced. The Minister of Health in confirming or sanctioning a scheme may require provision of this kind to be made. (secs. 11(2)/90, 40/90 and 46/09.)

In these respects the position in London is now the same as elsewhere (sec. 33/19).

**Duty of Local Authority to execute Improvement Schemes.**

12. When an improvement scheme under Part I. or Part II. has been confirmed or sanctioned, it is the duty of the Local Authority to proceed to execute it as soon as practicable.

It is not obligatory upon them to purchase any leasehold interest which can be allowed to expire without unduly delaying the execution of the scheme.

It is also open to them, instead of acquiring all the lands in the scheme, to contract with any person having sufficient interest in any land to carry out the scheme so far as it relates to such land.

(secs. 12/90, 39(8)/90 and 39/19.)



### **Modification of Part I. or Part II. Scheme.**

13. On application from the Local Authority, the Minister of Health has power, where an improvement can be made in the details of a Part I. or Part II. scheme, to permit the Local Authority to modify it (secs. 15/90, 39/90 and 25/09.).

### **Acquisition of Lands.**

14. As soon as a Local Authority have passed a resolution to make a Part I. or Part II. scheme, they may proceed, if they obtain the consent of the Minister of Health, to purchase by agreement any land in the area of the proposed scheme (sec. 13/19).

Powers of compulsory purchase are available as soon as the Part I. or Part II. scheme is confirmed or sanctioned, subject to the provisions of the Confirming or Sanctioning Order (secs. 20 and 39/90).

### *Valuation of Land.*

### **General Conditions.**

15. The Acquisition of Land (Assessment of Compensation) Act, 1919, has altered the law with regard to the method of determining any question of disputed compensation where land is authorised to be acquired compulsorily by any local or public authority. Any such question may, if the parties so agree, be referred to the Commissioners of Inland Revenue or to an arbitrator agreed on between the parties. If neither of these courses is taken the question is to be determined by one of a panel of official arbitrators.

The Acquisition of Land Act also contains important rules for determining the compensation to be paid for land which is compulsorily acquired, such as, that the value of the land, subject to certain conditions, is to be the amount which the land, if sold in the open market by a willing seller, might be expected to realise; that consideration is to be paid in determining the value to any return or assessment of capital value for taxation which has been made or acquiesced in by the claimant; that no allowance is to be made because of the fact that the acquisition is compulsory; that the special suitability of the land for any purpose is not to be taken into account if that purpose is a purpose to which it could be applied only in pursuance of statutory powers; and that no account is to be taken of any increase in the value of the land due to its use, or the use of premises upon it, in a manner which can be restrained by any court, or is contrary to law, or is detrimental to the health of the inmates of the premises or to the public health.

Section 7 of the Act provides that nothing in the Act relating to the rules for assessing compensation is to affect any special provisions (in so far as the provisions are inconsistent with these rules) as to the assessment of the value of land acquired for the purposes of Part I. or Part II. of the Housing Act of 1890 and contained in that Act or any amending Act.

(Secs. 1, 2, 7 and 8 of the Acquisition of Land (Assessment of Compensation) Act, 1919.)

### **Special conditions as to land in an unhealthy area.**

16. There are a number of special conditions in sec. 9 of the Housing Act of 1919 relating to the compensation to be paid for land in an unhealthy area which is acquired compulsorily.

In the first place payment is to be made only for the land as a cleared site; nothing is to be paid in respect of the buildings on it. Subject to what is said in the next paragraph, the value of the land is to be its value as a cleared site available for development in accordance with any byelaws or local Acts in force in the district as to new streets or buildings.

In the second place if the land (or a part of it) is required under the improvement scheme to be used for rehousing of the working classes or as an open space the amount of compensation payable by the Local Authority in respect of the unhealthy area is to be reduced. The Act contains provisions under which the reduction of value is to be spread over all the owners of land in the unhealthy area.

The rules laid down by the Act in this matter are quoted in full in appendix II., page 53.



The following example will give an indication of the operation of these rules. If the value of the whole of the land included in the scheme (whether land added to make the scheme efficient or land included in the unhealthy area) is by reason of the intended use of any part of it for housing or as an open space reduced from £5,000 to £3,000, then each owner of land in the unhealthy area will receive only three-fifths of the compensation to which he would have been entitled if the value of the area as a whole were not reduced on account of the restriction on its use.

As already explained, full compensation is to be paid for any land, and buildings on it, which is included in an improvement scheme only in order to make the scheme efficient, and not as part of the unhealthy area.

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### *Default Powers.*

#### **Power of Minister of Health to require reports.**

17. If it appears to the Minister of Health that owing to the density of population, or any other reason, it is expedient to inquire into the circumstances of any area, in order to determine whether any powers of the Housing Acts should be put into force in that area, he may require the Local Authority to make a report to him containing such particulars as he directs (sec. 37/09).

Where a representation is made to the Minister as respects any county district that the Local Authority have failed to exercise their powers under Part I or Part II of the Act of 1890, he may direct the County Council to instruct the County Medical Officer of Health to inspect the district and to report to the Minister as to the exercise of their powers by the Local Authority (sec. 6/19).

#### **Power to require Local Authority to make a scheme : Action in case of default.**

18. Particulars have already been given (page 42) of the power of the Minister of Health, where an official representation has been made by a Medical Officer of Health and the Local Authority do not proceed to make a scheme, to direct an inquiry and, if he thinks this necessary, to order a scheme to be made.

Where the Minister is satisfied that any area within the district of a Local Authority is an area in respect of which the Local Authority ought to exercise their powers under Part I. or Part II. of the Act of 1890, the Minister may require the Local Authority to make an improvement scheme and to carry it into execution. In case of default, he may either authorise the County Council to make and carry out a scheme, or may himself do so (sec. 5/19).

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## **CHAPTER XVI.**

### **POWERS AND DUTIES OF COUNTY COUNCILS AND COUNTY MEDICAL OFFICERS OF HEALTH.**

#### **Reports to County Council and transfer of powers.**

1. It is the duty of a Rural District Council, and also of a Metropolitan Borough Council, to forward to the County Council a copy of any representation or complaint of the kind stated below, that a particular dwelling house is in a state so dangerous or injurious to health as to be unfit for human habitation, or that a particular building is an obstructive building. This applies to representations or complaints made to the Local Authority (or to their Medical Officer of Health) by an officer of the Local Authority, or by any inhabitant householders, or in the case of a Rural Parish by the Parish Council.

When a Closing Order is made it is the duty of the Local Authority mentioned above to send a copy of it to the County Council, and from time to time to report to the County Council such particulars as they require as to any proceedings taken.



If the Local Authority fail to take any proceedings which are necessary in any of these matters, the County Council may, after reasonable notice, pass a resolution which has the effect of vesting in them the powers of the Local Authority in regard to the dwelling house or building. The County Council are then in a position to proceed to make a Closing Order, or Demolition Order, or Order for pulling down the obstructive buildings as the case may be, and may recover from the Local Authority any expenses incurred by them.

(secs. 45/90, 39/19 and 6(2) Local Government Act, 1894.)

### **Complaint or Report to the Minister of Health.**

2. Where a Rural District Council, or the Council of a non-county borough or other Urban District, have failed to exercise their powers under Part II. (or Part III.) of the Act of 1890, the County Council may make a complaint to the Minister of Health. On such a complaint the Minister may direct a local inquiry, and, if the Local Authority are found to be in default, he may make an Order directing them to do what is necessary.

If the Local Authority fail to comply with the Order, the Minister may, with the consent of the County Council, make an Order directing the County Council to do anything which is mentioned in the original Order for remedying the default of the Local Authority (section 10/09).

As to the additional powers of the Minister of Health, under sec. 5/19, to enable a County Council to act in default of a Local Authority under Part I. or Part II. of the principal Act, see page 45.

### **County Medical Officer of Health.**

3. A representation from the Medical Officer of Health of the County, as to the need of a Closing Order, or the removal of an obstructive building, submitted to the County Council and forwarded by them to the Local Authority, is to have the same effect as a representation from the Medical Officer of the District. This provision does not apply to Boroughs (sec. 52/90).

The County Medical Officer of Health has the same powers of entry, for the purposes of his duty, as are possessed by the Medical Officer of Health of the district (sec. 68 (4)/09; see also sec. 45 (4)/90).

A County Medical Officer of Health is entitled to receive from the Clerk of the Rural District Council a copy of any Closing Order and of any representation, complaint or information as is referred to in the first section of this chapter (secs. 69 (1)/09 and 39/19).

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## **CHAPTER XVII.**

### **PROCEDURE.**

1. In making a Part I. or Part II. Scheme, it is important that the statutory requirements should be carefully observed in order that no question may arise as to the validity of the proceedings.

The stages in the procedure are summarised below. In connexion with this summary, reference should be made to the forms and instructions given in appendix III., page 54

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#### *Part I. Schemes.*

##### **Official Representation.**

2. The representation must be made in writing to the Local Authority by the Medical Officer of Health of the Local Authority (in London by that officer or by any Medical Officer of Health in London).

The representation should follow the exact words of Section 4 of the Act of 1890, as amended by section 22 of the Act of 1909, so far as the words apply to the



particular case, and the Medical Officer of Health should furnish the Local Authority with sufficient facts to enable the members properly to consider the representation. A form of official representation is given in appendix III., page 54.

### **Resolution of Local Authority.**

3. The Local Authority then take the representation into consideration and, if satisfied of the truth of it and of the sufficiency of their resources\*, pass a resolution declaring that the area referred to is an unhealthy area and that an improvement scheme ought to be made in respect of it, and giving the necessary directions for the preparation of the scheme.

Any number of areas may be included in one improvement scheme.

### **Making of Scheme.**

4. After passing the resolution the Local Authority must in due course proceed to make the scheme.

The nature of the provisions which may be inserted in the scheme is indicated in chapter XV, page 42.

The scheme must be accompanied by maps, particulars and estimates.

### **Notices.**

5. When the scheme has been duly made under seal, the Local Authority must forthwith publish an advertisement of it in a newspaper circulating in their district and deposit a copy of the scheme for inspection in or within the vicinity of the area. One advertisement is sufficient. A form of advertisement is given on page 56.

They must also serve a notice on owners or reputed owners, lessees or reputed lessees, and occupiers (except tenants for a month or less period than a month) of any land proposed to be taken compulsorily. The Act contains provision as to the manner in which a notice may be served (secs. 7/90, 5/03 and 39/19). Forms of notice are given on page 57.

### **Application to the Minister of Health for confirmation.**

6. When the advertisement has been published and the notices have been served the Local Authority must present a petition under their seal to the Minister of Health praying that an order may be made confirming the scheme. The petition must state the names of the owners or reputed owners, and lessees or reputed lessees who dissent in respect of the taking of their land (sec. 8/90). A form of petition is given on page 58.

## *Part II. Schemes.*

### **Representation.**

7. No "official representation" is expressly required in the case of a Part II. Scheme. But it is desirable that the Local Authority should have some such representation or report from the Medical Officer of Health before them.

### **Resolution of Local Authority.**

8. The Local Authority pass a resolution in the terms indicated in section 39 (1) (a) or (b) of the Act of 1890 (see page 43), directing a scheme to be prepared for the improvement of the specified area. A form of resolution is given on page 60.

### **Making of Scheme.**

9. The same course should be followed as in the case of a Part I. Scheme.

\* As previously mentioned, the financial assistance which may be received in respect of improvement schemes should be borne in mind.



### Notices.

10. When the scheme is made notices must be served on every owner, &c., in the same way as in the case of a Part I. Scheme. No advertisement is necessary (sec. 39 (2) /90). Forms of notice are given in pages 60 and 61.

### Application for sanction to Scheme.

11. After the service of the notices, the Local Authority must apply to the Minister of Health, by a petition under their seal, for an order sanctioning the scheme (sec. 39 (3) /90.) A suggested form of petition is given on page 61.

### *Proceedings after a Scheme has been made.*

### Local Inquiry.

12. Before deciding to confirm or sanction a Part I. or Part II. Scheme; the Minister of Health will hold a local inquiry. At this stage the following matters will be considered:—the area of the scheme; the delimitation of the unhealthy area; the amount of re-housing to be provided; the manner in which re-housing operations and demolitions are to be co-ordinated; how far re-housing is to be effected within the area of the scheme (and on what part of the area); the accommodation to be provided; what roads and open spaces are to be provided, and where, in the area of the scheme; and the appropriation or disposal of lands not required for re-housing.

### Purchase of Land.

13. When a scheme is confirmed or sanctioned the Local Authority should proceed as soon as possible to purchase, by agreement or compulsorily, any land which they will require to purchase under the scheme. The powers of compulsory purchase will lapse on the expiration of three years after the confirmation or sanction of the scheme (secs. 20 (ii) and 39 (7) /90).

It will, however, be necessary for the Local Authority to obtain the consent of the Minister of Health before incurring any expenditure, whether in connection with the acquisition of land, the clearance of the area or any other matter, if the expenditure is to be brought into account in an application for financial assistance from the State.

Before purchasing any land or any interest in land by agreement, whether under section 13 of the Act of 1919 before the scheme is confirmed or after confirmation of the scheme, the Local Authority should obtain a valuation from the District Valuer and should consult the Ministry. The Ministry have arranged with the Board of Inland Revenue that the District Valuers shall be at the service of Local Authorities for negotiating the purchase of land or of any interest therein; and Local Authorities will find it to their advantage to avail themselves of this arrangement.

The new provisions as to assessment of compensation on the compulsory purchase of land in an unhealthy area should be borne in mind.

14. When the Local Authority have ascertained what lands they will have to acquire compulsorily, they should follow the procedure laid down for the purpose by the Ministry.

Before making any application to the Reference Committee under the Acquisition of Land (Assessment of Compensation) Act, 1919, for the appointment of an official arbitrator, the Local Authority must, in the case of a Part I. Scheme, cause to be made out maps and schedules of all lands proposed to be taken compulsorily, with the names of all persons interested in such lands as owners or reputed owners, lessees or reputed lessees, or occupiers (except tenants for a month or a less period than a month). The maps should be on the scale of  $\frac{1}{500}$ , or on a scale approximating to this, and should show, by figures referring to the schedules, the lands of all the several owners and, by distinctive colours, each of the separate properties proposed to be taken compulsorily for the purposes of the improvement scheme.

One copy of the maps and schedules should be sent to the Ministry of Health, and one copy deposited in the office of the Local Authority. (Second schedule /90 and sec. 39 /19).



**Re-housing.**

15. The displacement of tenants from occupied buildings in the area of the scheme must, of course, be deferred until any necessary accommodation is available. The scheme as confirmed often provides for the re-housing and clearance to be carried out in sections.

Where re-housing accommodation is to be provided on a site outside the area of the improvement scheme, the procedure in regard to the selection of sites, submission of plans, &c., for Part III. Schemes set out in the Manual on State-aided Housing Schemes should be followed.

**Loans.**

16. Application to the Minister of Health for sanction to loans may be made from time to time when the Local Authority are in a position to supply a statement showing how the sums required to be borrowed are made up.

A Metropolitan Borough Council carrying out a Part II. Scheme should apply to the London County Council for sanction to any loan required by them.

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## APPENDIX I.

### 1.—House without a Drain sufficient for effectual drainage.

(Section 23, *Public Health Act, 1875.*)

Where any house is without a drain sufficient for effectual drainage, the Local Authority are, by written notice, to require the owner or occupier, within a reasonable time to be specified in the notice, to make a drain or drains emptying into a sewer if there is one available not more than one hundred feet from the site of such house, or otherwise into a suitable cesspool or other place.

If the notice is not duly complied with the Local Authority may do the work required and may recover the expenses incurred by them in so doing from the owner.

### 2.—Closet Accommodation and Receptacle for Refuse.

(Section 36, *Public Health Act, 1875.*)

If a house appears to a local authority by the report of their surveyor or inspector of nuisances to be without a sufficient water-closet, earth-closet, or privy and an ashpit furnished with proper doors and coverings, the Local Authority are, by written notice, to require the owner or occupier of the house to provide a sufficient water-closet, earth-closet, or privy and an ashpit, or either of them, as the case may require.

If the notice is not duly complied with the Local Authority may do the work and recover the expenses incurred by them in so doing from the owner.

### Definition of Ashpit.

(Section 11 (1), *Public Health Acts Amendment Act, 1890.*)

The expression "ashpit" in the Public Health Acts is, for the purposes of the execution of those Acts, to include any ashtub or other receptacle for the deposit of ashes, faecal matter, or refuse.

### 3.—Nuisance from Drain, Closet, Ashpit or Cesspool.

(Section 41, *Public Health Act, 1875.*)

On the written application of any person to a local authority stating that any drain, water-closet, earth-closet, privy, ashpit or cesspool on or belonging to any premises within their district is a nuisance or injurious to health, the Local Authority may, by writing, empower their surveyor or inspector of nuisances, after twenty-four hours' written notice to the occupier of the premises, or in case of emergency without notice, to enter the premises, with or without assistants, and cause the ground to be opened, and examine the drain, water-closet, earth-closet, privy, ashpit or cesspool.

If the drain, water-closet, earth-closet, privy, ashpit or cesspool on examination appears to be in bad condition, or to require alteration or amendment, the Local Authority are forthwith to cause notice in writing to be given to the owner or occupier of the premises requiring him to do the necessary works. If the notice is not complied with, the person to whom it is given is liable to a penalty for default, and the Local Authority may execute the works, and recover the expenses incurred by them in so doing from the owner.

Similar provisions with regard to London are contained in sections 40 and 41 Public Health (London) Act, 1891.

### 4.—Water Supply.

(Section 62, *Public Health Act, 1875.*)

Where, on the report of the surveyor of a Local Authority, it appears to them that any house is without a proper supply of water, and that such a supply of water can be furnished at a cost not exceeding the water rate authorised by any local Act in force within the district, or, where there is not any local Act in force, at a cost not exceeding 2d. a week, or at such other cost as the Minister of Health may, on the application of the Local Authority, determine to be reasonable, the Local Authority are to give notice in writing to the owner requiring him to obtain such supply, and to do any necessary works for that purpose.

If the notice is not duly complied with the Local Authority may do the works and obtain the supply, and for that purpose may enter into any contract with any water company supplying water within their district; and water rates may be made and levied on the premises by the authority or company which furnishes the supply and may be recovered as if the owner or occupier of the premises had demanded a supply of water and were willing to pay water rates for the same. Any expenses incurred by the Local Authority in doing any such works may be recovered by them from the owner.

### 5.—Paving and Drainage of Yards.

(Section 25, *Public Health Acts Amendment Act, 1907.*)

If any yard in connection with, and exclusively belonging to, a dwelling-house shall not be so formed, flagged, asphalted, or paved, or shall not be provided with such works on, above, or below the surface of the yard, as to allow of the effectual drainage of the subsoil or surface of the yard by safe and suitable means to a proper outfall, the Local Authority may, by notice in writing, require the owner of the dwelling-house, within twenty-one days after the service of the notice, to execute all such works as are necessary for the effectual drainage of the subsoil or surface of the yard to a proper outfall.



If, within the period of twenty-one days, the owner has failed to complete the execution of the works specified in the notice, the Local Authority may execute the works, and may recover the expenses from the owner.

#### **6.—Application of Smoke Test or other tests to Drains.**

*(Section 45, Public Health Acts Amendment Act, 1907.)*

If the medical officer, surveyor or inspector of nuisances reports to the Local Authority that he has reasonable grounds for believing that any drains of any building are so defective as to be injurious or dangerous to health, the Local Authority may authorise their medical officer, surveyor or inspector of nuisances to apply the smoke or coloured water test, or other similar test (not including a test by water under pressure) to the drains, subject to the condition that either the consent of the owner or occupier of the building must be given to the application of the test, or an order of a court of summary jurisdiction in the place where the building is situated must be obtained, authorising the application of the test.

If the drains are found to be defective, the Local Authority may, by notice, require the owner to remedy the defect, and if the owner does not comply with the notice, the Local Authority may themselves do the work, and recover the expense from the owner.

#### **7.—Sinks and Drains for Refuse Water.**

*(Section 49, Public Health Acts Amendment Act, 1907.)*

In addition to all other powers vested in a Local Authority, the Local Authority, if it appears to them, on the report of the surveyor, medical officer, or inspector of nuisances, that any building is not provided with a proper sink or drain or other necessary appliances for carrying off refuse water, may give notice in writing to the owner or occupier of the building requiring him to provide such sink, drain, or other appliances.

If the owner or occupier fails to comply with the notice, he is liable to penalties, and the Local Authority may themselves provide the sink, drain, or other appliances, and recover the expenses incurred by them from the owner or occupier.

#### **8.—Appeal to Minister of Health.**

*(Section 268, Public Health Act, 1875.)*

Where any person deems himself aggrieved by the decision of the Local Authority in any case in which the Local Authority are empowered to recover in a summary manner any expenses incurred by them, or to declare such expenses to be private improvement expenses, he may, within twenty-one days after notice of the decision, address a memorial to the Minister of Health, stating the grounds of his complaint. He must deliver a copy of any such memorial to the Local Authority.

The Minister of Health may, on any such complaint, make such Order as seems to him equitable.

#### **9.—Water Supply to Tenement Houses in London.**

As to the water supply of tenement houses in London, section 78 of the London County Council (General Powers) Act, 1907, provides that, for the purposes of section 48 (which contains provisions as to houses without a proper water supply) of the Public Health (London) Act, 1891, a tenement house is to be deemed a house without a proper and sufficient supply of water unless there is provided on the storey or one of the storeys in which the rooms or lodgings in the separate occupation of each family occupying the house are situate a sufficient provision for the supply of water for domestic purposes.

In the case of a building existing and in use as a tenement house on the 28th August, 1907, the section does not apply where the only storey or storeys on which a proper and sufficient supply of water is not provided is or are a storey or storeys (i.) constructed at a height exceeding that to which the Metropolitan Water Board may for the time being be required to furnish a supply of water for domestic purposes, and (ii.) to which a supply of water for such purposes was not, on the 28th August, 1907, being furnished by the Water Board by agreement.

The section does not apply to any tenement house in respect of which it can be shown that the provision of a supply of water as above is not reasonably necessary.

#### **10.—Water Supply in Rural District.**

*(Section 6, Public Health (Water) Act, 1878.)*

In a rural district it is not lawful for the owner of any dwelling house erected after the 25th March, 1879, or of any dwelling house which after that date may be pulled down to or below the ground floor and rebuilt, to occupy the same, or cause or permit the same to be occupied, unless he has obtained from the Local Authority a certificate that there is provided, within a reasonable distance of the house, such an available supply of wholesome water as may appear to the authority, on the report of their inspector of nuisances or of their medical officer of health, to be sufficient for the consumption and use for domestic purposes of the inmates of the house.

The owner may appeal to a court of summary jurisdiction against the refusal of a certificate by the Local Authority, and the court may make an order authorising the occupation of the house.

Any owner who contravenes the section is liable to a penalty not exceeding ten pounds.



### 11.—Cellar Dwellings and Underground Rooms.

(Sections 71–75, *Public Health Act, 1875*.)

The provisions in force outside London are to the following effect :—

It is not lawful to let or occupy or suffer to be occupied separately as a dwelling, any cellar, vault or underground room built or rebuilt since the 31st August, 1848, or which was not so let or occupied before that date.

It is not lawful to let or occupy or suffer to be occupied separately as a dwelling any cellar whatsoever (a) unless it is at least seven feet in height, and is to the extent of at least three feet of its height above the surface of the street or ground adjoining or nearest to it, and fronts on an area which complies with certain specified conditions ; and (b) unless it is effectually drained and is provided with sufficient closet accommodation, and an ashpit, and with a fireplace and an external window made to open.

Any cellar in which any person passes the night is to be deemed to be occupied as a dwelling.

(Sections 96–98, *Public Health (London) Act, 1891*.)

In London an underground room (that is, a room of which the floor is more than three feet below the level of the adjoining street or ground) may not be let or occupied separately as a dwelling unless it is at least seven feet in height, and unless at least three feet of its height are above ground level (but where the width of the area on which the room fronts is equal to the height of the room from the floor to ground level a height of one foot above ground suffices).

The walls of the underground room must have a damp proof course, and the floor, if hollow, must be ventilated.

The room must front on a paved and drained area at least four feet wide, must be provided with proper closet accommodation, a receptacle for refuse, a fire-place, and one or more windows opening externally, and must be properly drained and ventilated.

In the case of an underground room which was occupied separately as a dwelling before 5th August, 1891, the sanitary authority have a limited power of dispensing with these requirements, and the owner may appeal to the Minister of Health against a refusal on their part to exercise it.

Where two convictions against the provisions of any Act relating to the occupation of a cellar as a separate dwelling place have taken place within three months, a court of summary jurisdiction may direct the closing of the premises.

(Sections 17 (7) of the *Housing, Town Planning, &c. Act, 1909*, and 39 of the *Housing, Town Planning, &c. Act, 1919*.)

A room habitually used as a sleeping place, the floor of which is more than three feet below the surface of the part of the street adjoining or nearest to the room, or more than three feet below the surface of any ground within nine feet of the room, is to be deemed to be a dwelling house so dangerous or injurious to health as to be unfit for human habitation, if the room (a) is not on an average at least seven feet in height from floor to ceiling, or (b) does not comply with the regulations which may be made for securing the proper ventilation and lighting of such rooms and their protection against dampness, effluvia or exhalation.

### 12.—Definitions of “owner.”

1. For the purposes of Part II. of the *Housing of the Working Classes Act, 1890*, generally, “owner” is defined by section 49 (2) of the *Housing, Town Planning, &c., Act, 1909*, as follows :—

“The expression ‘owner,’ in addition to the definition given by the *Lands Clauses Acts*, includes all lessees or mortgagees of any premises required to be dealt with under this part of this Act, except persons holding or entitled to the rents and profits of such premises under a lease the original term whereof is less than 21 years.”

In section 3 of the *Lands Clauses Consolidation Act, 1845*, “owner” is defined as “any person or corporation who under the provisions of this or the special Act, would be enabled to sell and convey lands to the promoters of the undertaking.”

2. For the purposes of sections 26 and 28 of the *Housing, Town Planning, &c., Act, 1919*, the following definition of “owner,” contained in section 4 of the *Public Health Act, 1875*, is applicable :—

“Owner” means the person for the time being receiving the rack-rent of the lands or premises in connection with which the word is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if such lands or premises were let at a rack-rent.

“Rack-rent” means rent which is not less than two-thirds of the full net annual value of the property out of which the rent arises, and the full net annual value shall be taken to be the rent at which the property might reasonably be expected to let from year to year, free from all usual tenant’s rates and taxes, and tithe commutation rentcharge (if any), and deducting therefrom the probable average annual cost of the repairs, insurance, and other expenses (if any) necessary to maintain the same in a state to command such rent.



## APPENDIX II.

## FIRST SCHEDULE TO THE ACT OF 1919.

## Rules for determining the amount of Reduction of Compensation.

(a) The value of the whole of the land included in the scheme shall first be ascertained on the basis of its value as a cleared site available for development in accordance with the requirements of the building byelaws\* in force in the district.

(b) The value of the whole of the said land shall next be ascertained on the basis of its value as a cleared site subject to the requirements of the scheme as to the provision to be made for the re-housing of persons of the working classes or the laying out of open spaces on the land or any part thereof.

(c) The difference between the amounts ascertained under paragraph (a) and paragraph (b) shall then be computed.

(d) The amount by which the compensation payable for the respective interests in the land to which section nine of this Act applies, as ascertained in accordance with the principle laid down in that section, is to be reduced shall be a fraction thereof equal to the amount arrived at under paragraph (c) when divided by the amount arrived at under paragraph (a).

## Note.

The rules may perhaps most readily be explained by an illustration :—

1. Assume the value of the *whole* of the land in the area (both that on which slum property stands and that included “only for the purpose of making the scheme efficient”) calculated as in Rule (a), that is, as a cleared site available for development according to the building byelaws. to be £100,000.

2. Assume the value of the *whole* of the land calculated as in Rule (b), that is, as a cleared site subject to the re-housing or open space requirements specified in the scheme, to be £60,000.

3. The constant factor of reduction applicable to all the “insanitary” land ascertained by the application of rules (c) and (d) will be—

$$\frac{100,000 - 60,000}{100,000}, \text{ that is, } \frac{2}{5}.$$

In other words, if the value as a cleared site of a parcel of land in the unhealthy area was, say, £5,000, the amount which would be received as compensation would be £5,000 less  $\frac{2}{5}$  of £5,000 = £5,000 less £2,000 = £3,000.

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\* This term is defined by section 40 of the Act of 1919 so as to include byelaws and local Act provisions as to new streets and buildings.



### APPENDIX III.

#### Forms and Instructions with reference to Part I. and Part II. Schemes.

(The following forms are suggested, subject to any necessary adaptations.)

#### PART I. SCHEMES.

##### 1.—Form of Official Representation of the Medical Officer of Health.

Name of Local Authority \_\_\_\_\_

HOUSING ACTS, 1890 TO 1919.

Designation of Area \_\_\_\_\_

##### OFFICIAL REPRESENTATION OF THE MEDICAL OFFICER OF HEALTH.

To the Council of

of

I, \_\_\_\_\_, Medical Officer of Health for the \_\_\_\_\_ do hereby represent\* that in my opinion, within a certain area, described in the Schedule hereto  
(a) there are certain houses, courts and alleys which are unfit for human habitation,  
or (b) the narrowness, closeness and bad arrangement, or the bad condition of the streets and houses or groups of houses within such area, or the want of light, air, ventilation or proper conveniences or other sanitary defects, or one or more of such causes, are dangerous or injurious to the health of the inhabitants of the buildings in the said area or of the neighbouring buildings,

and that the most satisfactory method of dealing with the evils connected with such houses, courts or alleys, and the sanitary defects in such area, is an improvement scheme for the re-arrangement and re-construction of the streets and houses within such area, or of some of such streets and houses.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

(Signature)

Medical Officer of Health.

##### SCHEDULE.

The area to which the above official representation relates is coloured red on the map annexed hereto and is bounded by a line commencing (set out the entire boundary line).

##### 2.—Resolution of Local Authority deciding that Improvement Scheme should be made, and giving necessary instructions for its preparation.

The Official Representation of the Medical Officer of Health under the Housing Acts, 1890 to 1919, was submitted.

RESOLVED :—

1. That the Council, having taken into consideration the Official Representation of the Medical Officer of Health, dated \_\_\_\_\_ 19 \_\_\_\_\_, and being satisfied of the truth thereof and of the sufficiency of their resources, declare that the area described in such Representation is an unhealthy area, and that an Improvement Scheme ought to be made in respect of the area.†

2. That the Clerk be instructed to prepare a Draft Scheme, in accordance with the provisions of Part I of the Housing of the Working Classes Act, 1890, as amended by subsequent Acts, and that the Surveyor prepare the necessary plans, particulars and estimates.

##### 3.—Maps, Particulars, Estimates, &c.

Maps.

The following maps‡ should be prepared in connection with the scheme :—

Map No. 1, on the scale of 1/500, or on a scale approximating to this, showing the lands included in the improvement scheme, the unhealthy area being coloured pink, and any "neighbouring lands" which have been included in the scheme in order to make it efficient being coloured blue.

The several properties should be numbered consecutively on this map. Each parcel of land, notwithstanding that several may belong to one owner, should be separately numbered, the outside boundaries of each parcel being defined by hard lines, and the buildings (if any) on each parcel being linked into it, so that it may be seen to what properties each number applies.

\* The Medical Officer of Health when making his representation should bear in mind the alternatives admissible under sec. 4/90.

† If the Local Authority decide to exclude any part of the area or to include any neighbouring lands under Section 6 (1) (a) of the Act of 1890, the resolution should be extended so as to indicate this.

‡ The maps should be carefully checked. It is important that all buildings and boundaries should be correctly shown. All buildings should be hatched, and buildings other than dwelling-houses and their appurtenances should have their character lettered upon them. A certificate by the competent official as to the correctness of the map must be given on the map itself.



*Map No. 2* on the scale of 1/500, or on a scale approximating to this, showing the proposals for dealing with the cleared area, indicating any proposed new dwelling accommodation, street planning, open spaces or playgrounds or other intended developments. On this map any lands proposed to be used for re-housing should be coloured yellow and any lands proposed to be appropriated as open spaces green.

*Map No. 3* on the scale of 6 inches to the mile, showing any site or sites where re-housing accommodation is to be provided which is not within the area comprised in the scheme, and the position of each site in relation to the area included in the scheme.

(NOTE.—The Minister of Health will require two copies, mounted on linen, of each of the above maps. If in any case the lands included in the scheme as "the unhealthy area" do not comprise all the lands to which the official representation extended, a copy of the map prepared in connection with the official representation should be supplied to the Ministry.)

#### *Particulars of the Scheme.*

The scheme should be accompanied by a statement giving the following particulars :—

- (i.) The acreage of the area comprised in the Scheme ;
- (ii.) The number of persons of the working classes who will be displaced by the Scheme ;
- (iii.) The number of persons for whom dwelling accommodation is to be provided ;
- (iv.) Where the accommodation is to be provided ;
- (v.) Any other necessary information or explanations.

#### *Estimates.*

The estimates should distinguish the cost of the acquisition of the lands comprised in the scheme and the cost of the laying out and construction of new streets and the erection of new buildings, and should also specify the estimated value of any surplus lands and recoupments.

#### *The Book of Reference.*

The book of reference should be in the following form and should be prepared on the ground at the same time as, and in conjunction with, the Map No. 1, each parcel of land being numbered to correspond with that map, and being described so as to show clearly what properties are covered by each number.

NAME OF LOCAL AUTHORITY .....

HOUSING ACTS, 1890–1919.

*Designation of Improvement Scheme* .....

#### BOOK OF REFERENCE.

Book of Reference to the Map No. 1 of the area included in the above-mentioned scheme.

Number on Map No. I.	Description of Lands.	Situation.	Names and addresses of		Occupiers.
			Owners or reputed Owners.	Lessees or reputed Lessees.	

#### 4.—Forms of Clauses for Improvement Schemes.

The purposes for which Part I. or Part II. Schemes may be made are substantially the same, and it is suggested that the following clauses should be used as the basis for any scheme so far as they are applicable, and with any necessary adaptations or additions.

##### SHORT TITLE.

This scheme may be cited as the

Improvement Scheme 19 . .

##### INTERPRETATION.

In this scheme the Council means the

##### LIMITS OF SCHEME AND UNHEALTHY AREA.

All the lands coloured pink on the map marked Map No. 1, annexed to this scheme, are included in the scheme as an unhealthy area.

*Alternative Form for use when "Neighbouring Lands" are included to make the scheme efficient.*

##### LIMIT OF SCHEME.

All the lands coloured pink and blue on the map marked Map No. 1, annexed to this scheme, are included in this scheme.



## LIMITS OF UNHEALTHY AREA.

The lands coloured pink on the said Map No. 1 are included in the scheme as an unhealthy area.

The lands coloured blue on the said map are not part of the unhealthy area, but are included in order to make the scheme efficient.

## ACQUISITION OF LANDS.

All the lands included in the scheme are intended to be acquired compulsorily in default of agreement.

## CLEARANCE OF AREA.

After obtaining possession of the lands included in the scheme the Council shall cause all the buildings (*or the following buildings or except the following buildings*) within the limits of the scheme to be demolished and the sites to be cleared.

## LAY-OUT OF THE CLEARED AREA.

The Council shall lay out the cleared area in the manner shown on Map No. 2 annexed to this scheme.

All the existing highways in the area may be closed, appropriated, widened, or diverted by the Council so far as may be necessary for the purposes of the Scheme.

## RE-HOUSING UPON AREA.

On the lands coloured yellow on Map No. 2 the Council shall erect in accordance with plans to be approved by the Minister of Health, suitable dwellings for the accommodation of persons of the working classes.

## OPEN SPACES.

The lands coloured green on Map No. 2 shall be appropriated for the purposes of an open space.

## DISPOSAL OF SURPLUS LANDS.

Such of the lands in the scheme as shall not be required for the purpose of providing accommodation for persons of the working class or for the laying out of new streets or the improvement of streets or for the purpose of open spaces may, with the approval of the Minister of Health, be sold, leased or otherwise disposed of as the Council may think fit.

**5.—Resolution of Local Authority making Improvement Scheme.**

RESOLVED—

That the Improvement Scheme under Part I. of the Housing of the Working Classes Act, 1890, as amended by subsequent Acts, now submitted, for the Unhealthy Area, together with the plans, particulars and estimates relating to the scheme, be, and the same are, hereby made and adopted, and that all necessary steps be taken to obtain confirmation thereof.

**6.—Form of Advertisement.**

HOUSING ACTS, 1890 to 1919.

*Advertisement of an Improvement Scheme.*

Notice is hereby given that the Council of have, in pursuance of the powers vested in them for that purpose by Part I. of the Housing of the Working Classes Act, 1890, as amended by subsequent Acts, made a Scheme for the improvement of the area [*or areas*] the limits of which are stated in the Schedule hereunder.

A copy of the scheme, accompanied by maps, particulars and estimates, has been deposited at the (*specify the place of deposit, which must be within the area, or in the vicinity thereof*) and may be seen at all reasonable hours.

## SCHEDULE.

(One of the alternative forms should be used as may be convenient. If the scheme includes more than one area, the particulars indicated should be given as regards each area.)

The area to which the Scheme relates is bounded as follows:—

On the north by

On the south by

On the east by

On the west by

*or*

The area to which the scheme relates is bounded by a line commencing (*set out the entire linear boundary*):

Dated this

day of

, 19 .

Signature of Clerk of Local Authority.....



**Form of Notice to Owners and Lessees.**

HOUSING ACTS, 1890 TO 1919.

*Notice to owner or reputed owner, lessee or reputed lessee, of intention to take lands compulsorily under an Improvement Scheme.*

TO (Insert name, residence, or place of business, and description, where known, of owner or reputed owner, lessee or reputed lessee, as the case may require).

TAKE NOTICE that a petition is about to be presented by the Council of to the Minister of Health, in pursuance of Part I. of the Housing of the Working Classes Act, 1890, as amended by subsequent Acts, praying that an Order may be made confirming an Improvement Scheme whereby it is proposed to take compulsorily the lands described in the Schedule hereunder, in which lands you are believed to be interested, as owner or reputed owner, or lessee or reputed lessee.

You are therefore hereby required to return to me on or before the day of next an answer in writing stating whether you dissent or not in respect of the taking of the lands described in the said Schedule.

A copy of the said scheme, accompanied by maps, particulars and estimates, has been deposited at and may be seen at all reasonable hours.

SCHEDULE referred to in the foregoing Notice.

Name of Street, Court, Alley, or other Place.	Description of Lands* proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.

Dated this                      day of                      , 19   .

Signature of Clerk of Local Authority.....

**Form of Notice to Occupiers.**

HOUSING ACTS, 1890 TO 1919.

*Notice to occupier or occupiers (not being owners or reputed owners, or lessees, or reputed lessees, or tenants for a month or a less period than a month) of intention to take lands compulsorily under an Improvement Scheme.*

To (insert name of occupier)                      the occupier of the land  
or

[To the occupier or occupiers of the house]†  
which in the Schedule hereunder is described as the lands proposed to be taken.

TAKE NOTICE that a petition is about to be presented by the Council of to the Minister of Health in pursuance of Part I. of the Housing of the Working Classes Act, 1890, as amended by subsequent Acts, praying that an Order may be made confirming an Improvement Scheme whereby it is proposed to take compulsorily the lands described in the Schedule hereunder.

A copy of the said scheme, accompanied by maps, particulars and estimates, has been deposited at‡ and may be seen at all reasonable hours.

SCHEDULE referred to in the foregoing Notice.

Name of Street, Court, Alley, or other Place.	Description of Lands* proposed to be taken.

Dated this                      day of                      , 19   .

Signature of Clerk of Local Authority.....

\* "Lands" includes messuages, tenements, hereditaments, houses, and buildings of any tenure, and any right over land.

† The alternative address within these brackets is available only where the property to be taken is a house.

‡ The place of deposit must be within the area or in the vicinity thereof, see section 7 (a) of the Act of 1890.



### 7.—Instructions as to Application for Confirmation of Part I. Scheme.

The application must be made by a Petition which should be accompanied by:—

- (1) A copy of the official representation.
- (2) Two copies of the Improvement Scheme.
- (3) Particulars and estimates as specified on page 54.
- (4) Two copies, mounted on linen, of the maps specified on pages 54 and 55.
- (5) The Book of Reference.
- (6) Information as to the rates of mortality in the area comprised in the scheme, as compared with the rates for the whole of the district.
- (7) A detailed statement showing as regards each house in the area comprised in the scheme which is occupied by persons of the working classes—
  - (a) the number of such occupants ;
  - (b) the weekly rent paid ;
  - (c) the occupations and places of employment of the tenants.
- (8) A detailed statement showing the number of empty houses fit for habitation and suitable for persons of the working classes, within a distance of half a mile from the area comprised in the scheme, together with information as to the rentals of such houses.
- (9) A certificate signed by the Clerk to the Local Authority, or other person competent to give such certificate, of the publication of an advertisement in accordance with the requirements of section 7 (a) of the Act of 1890 as amended by section 5 of the Act of 1903, and section 39 of the Act of 1919.
- (10) A certificate signed by the clerk to the local authority, or other person competent to give such certificate, of compliance with the requirements of section 7 of the Act of 1890, as amended by section 5 of the Act of 1903 and section 39 of the Act of 1919, as to the service of notices.

### 8.—Form of Petition.

HOUSING ACTS, 1890 TO 1919.

IMPROVEMENT SCHEME, 19 .

TO THE MINISTER OF HEALTH:—

Petition of the

(name of Local Authority).  
(hereinafter called " the Council.")

SHEWETH AS FOLLOWS:—

1. AN Official Representation, of which a copy is annexed, has been made to the Council by their Medical Officer of Health pursuant to the provisions of Part I. of the Housing of the Working Classes Act, 1890.
2. THE Official Representation was taken into consideration by the Council at a meeting held on the                      day of                      19                      ; and the Council, being satisfied of the truth thereof and of the sufficiency of their resources, passed a resolution to the effect that an Improvement Scheme ought to be made in respect of the area referred to in the resolution.
3. A copy of the scheme made by the Council, with maps, particulars and estimates (in duplicate) is annexed.
4. THE names of the owners, or reputed owners, lessees or reputed lessees, who have dissented in respect of the taking of their lands for the purposes of the scheme are set out in the schedule hereto.

THE COUNCIL PRAY that an Order may be made confirming the scheme.

THE SCHEDULE REFERRED TO.

Owners or reputed Owners.	Lessees or reputed Lessees.	Number of property in book of reference.

L.S.

(Signed) \_\_\_\_\_

Chairman of Council.

(Date) .....

Clerk.



## PART II. SCHEMES.

## 1 (a).—Form of Report of the Medical Officer of Health.

Name of Local Authority.....

HOUSING ACTS, 1890 TO 1919.

Designation of Area.....

REPORT of the Medical Officer of Health with a view to proceedings under section 39\* of the Housing or the Working Classes Act, 1890.

To THE.....

(Name of Local Authority) of.....

I, \_\_\_\_\_ Medical Officer of Health for \_\_\_\_\_, do hereby report that orders have been made for the demolition of the buildings described in the Schedule hereto, and, in my opinion, it would be beneficial to the health of the inhabitants of the neighbouring dwelling-houses if the area of the dwelling-houses of which such buildings form or formed part were used for all or any of the following purposes, that is to say—*(delete what is not relevant)*—(1) dedicated as a highway or open space, or (2) appropriated, sold or let, for the erection of dwellings for the working classes, or (3) exchanged with other neighbouring land which is more suitable for the erection of such dwellings, and on exchange will be appropriated, sold or let for such erection.

The reasons for my opinion are :—

## SCHEDULE REFERRED TO.

(Here specify buildings in respect of which Demolition Orders have been made.)

(Signature of Medical Officer of Health).....

(Date).....

## 1 (b).—Form of Report of the Medical Officer of Health.

Name of Local Authority.....

HOUSING ACTS, 1890 TO 1919.

Designation of Area.....

REPORT of the Medical Officer of Health with a view to proceedings under section 39 of the Housing of the Working Classes Act, 1890.

To THE.....

(Name of Local Authority).....

I, \_\_\_\_\_ Medical Officer of Health for \_\_\_\_\_, do hereby report that in my opinion the closeness, narrowness, and bad arrangement or bad condition of the buildings comprised in the area described in the Schedule hereto, or the want of light, air, ventilation or proper conveniences, or other sanitary defects in such buildings are dangerous or prejudicial to the health of the inhabitants, of the said buildings or of the neighbouring buildings, and that the demolition or the reconstruction and re-arrangement of the said buildings or of some of them is necessary to remedy the said evils.

(Signature of Medical Officer of Health).....

(Date).....19.....

\* This form is included for the purpose of any case arising under subsection (1) (a) but the majority of cases will no doubt fall under subsection (1) (b) for the purposes of which the following form is suggested.



SCHEDULE REFERRED TO.

(Here define area of improvement scheme. The area may also be coloured on an accompanying map.)

2.—Resolution of Local Authority directing a scheme to be prepared for an Improvement Scheme under Section 39 (1) (b) in Part II. of the Housing of the Working Classes Act, 1890.

RESOLVED—

(1) That the Council, having taken into consideration the Report of the Medical Officer of Health, dated the                      day of                      19                      , with reference to the area (*insert description of area*), and being of opinion that the area is one to which the provisions of section 39 (1) (b) of the Housing of the Working Classes Act, 1890, apply, hereby direct a scheme to be prepared for the improvement of the area.\*

RESOLVED—

(2) That the Clerk be instructed to prepare a draft scheme in accordance with the provisions of Part II. of the Housing of the Working Classes Act, 1890, as amended by subsequent Acts, and that the Surveyor prepare the necessary plans, particulars and estimates.

3.—Maps, Particulars, Estimates, &c.

As in Part I. Scheme, see page 54.

4.—Form of Clauses for Part II. Schemes.

As in Part I. Scheme, see page 55.

5.—Resolution of Local Authority making an Improvement scheme under section 39 (1) (b) in Part II. of the Housing of the Working Classes Act, 1890.

RESOLVED—

That the Scheme under section 39 (1) (b) in Part II. of the Housing of the Working Classes Act, 1890, as amended by subsequent Acts, now submitted, for the improvement of the area (*insert description of area*), together with the plans, particulars, and estimates relating to the said scheme be, and the same are hereby made and adopted, and that all necessary steps be taken for obtaining sanction thereto.

I.

6.—Form of Notice to Owners and Lessees.

HOUSING ACTS, 1890 TO 1919.

Notice to owner or reputed owner, lessee or reputed lessee, of Improvement Scheme under Section 39 of the Housing of the Working Classes Act, 1890.

TO (*Name, residence, or place of business, and description, where known, of owner or reputed owner, lessee or reputed lessee, as the case may require*).

TAKE NOTICE that a petition is about to be presented by the (*description of Local Authority*) to the Minister of Health in pursuance of Part II. of the Housing of the Working Classes Act, 1890, as amended by subsequent Acts, praying that an Order may be made sanctioning an Improvement Scheme, whereby it is proposed to take by agreement or compulsorily the lands described in the Schedule hereunder, in which lands you are believed to be interested, as owner or reputed owner, or lessee or reputed lessee.

You are therefore hereby required to return to me on or before the                      day of                      next an answer in writing stating whether you dissent or not in respect of the taking of the lands described in the said Schedule.

A copy of the said scheme, accompanied by maps, particulars and estimates, has been deposited at†                      and may be seen at all reasonable hours

SCHEDULE referred to in the foregoing Notice.

Name of Street, Court, Alley, or other Place.	Description of Lands§ proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.

Dated this                      day of                      19                      .

Signature of Clerk of Local Authority.....

\* If neighbouring lands are added to make the scheme efficient the resolution should be extended.

† The place of deposit should be within the area or in the vicinity thereof.

§ "Lands" includes messuages, tenements, hereditaments, houses, and buildings of any tenure, and any rights over land.



## HOUSING ACTS, 1890 TO 1919.

[To the occupier or occupiers of the house]‡  
which in the Schedule hereunder is described as the lands proposed to be taken.

A copy of the said scheme, accompanied by maps, particulars and estimates, has been deposited at § and may be seen at all reasonable hours.

Name of Street, Court, Alley or other Place.	Description of Lands† proposed to be taken.

Signature of Clerk of Local Authority \_\_\_\_\_

- (1) A copy of any relevant report of the Medical Officer of Health or of a Committee in regard to the area to which the scheme relates.
- (2) A copy of the resolution of the Local Authority under section 39 (1) of the Act of 1890.
- (3) The documents and particulars specified under headings (2) to (8), on page 58.
- (4) A certificate signed by the clerk to the Local Authority, or other person competent to give such certificate, of compliance with the requirements of sections 39 (2) and 7 (b), (c) and (d) of the Act of 1890 as amended by section 57 of the Act of 1903 and section 39 of the Act of 1919, as to the service of notices.
- (5) A statement of the names of all the owners or reputed owners, lessees or reputed lessees, who have dissented in respect of the taking of their lands.

## HOUSING ACTS, 1890 TO 1919.

Improvement Scheme 19

Petition of the.....(name of Local Authority).  
(hereinafter called " the Council.")

2. The Report was taken into consideration by the Council at a meeting held on the day of 19 , and as it appeared to them that the area was one to which the provisions of section 39 (1) (b) of the Housing of the Working Classes Act, 1890, as amended by subsequent Acts, apply, they passed a resolution to that effect and directed a scheme to be prepared for the improvement of the area referred to in the resolution.

§ The place of deposit should be within the area or in the vicinity thereof.



3. A copy of the scheme made by the Council, with maps, particulars and estimates (in duplicate) is annexed.

4. The names of the owners or reputed owners, lessees or reputed lessees, who have dissented in respect of the taking of their lands for the purposes of the scheme, are set out in the schedule hereto.

THE COUNCIL PRAY that an Order may be made sanctioning the scheme.

THE SCHEDULE REFERRED TO.

Owners or reputed Owners.	Lessees or reputed Lessees.	Number of Property in Book of Reference.

(L.S.)

Date.....19 .

Signed.....

Chairman of Council

.....  
Clerk.



## APPENDIX IV.

THE HOUSING ACTS (FORM OF ORDERS AND NOTICES) ORDER, 1919, DATED THE 10TH DAY OF OCTOBER, 1919, MADE BY THE MINISTER OF HEALTH UNDER SECTION 41 OF THE HOUSING, TOWN PLANNING, &c., ACT, 1909, PRESCRIBING FORMS OF CERTAIN NOTICES AND OTHER DOCUMENTS.\*

THE MINISTER OF HEALTH, under the powers conferred on him by Section 41 of the Housing, Town Planning, &c. Act, 1909, and by all other powers enabling him in that behalf, hereby makes the following Order :—

Article I.—This Order may be cited as “ The Housing Acts (Form of Orders and Notices) Order, 1919.”

Article II.—The Forms set out in the Schedule hereto, or forms substantially to the like effect, shall be the forms to be used in connection with the powers and duties of a Local Authority under the Housing Acts, 1890 to 1919, in all cases to which those forms are applicable.

Article III.—The Order of the Local Government Board, dated the 11th day of January, 1910 (S.R. & O. No. 2, 1910), is hereby revoked except in so far as it prescribed a form or forms for use under Section 15 of the Housing, Town Planning, &c. Act, 1909.

## SCHEDULE.

- FORM No. 1.—Form of notice by person authorised by the local authority or Minister of Health before entry for the purpose of survey and examination, or valuation, under Section 36 of the Housing, Town Planning, &c. Act, 1909.
- FORM No. 2.—Form of notice requiring owner to execute works in the case of a house to which Section 28 of the Housing, Town Planning, &c. Act, 1919, applies.
- FORM No. 3.—Form of notice declaring intention of owner to close for human habitation a house to which Section 28 of the Housing, Town Planning, &c. Act, 1919, applies.
- FORM No. 4.—Form of order declaring expenses incurred by the local authority in the case of a house to which Section 28 of the Housing, Town Planning, &c. Act, 1919, applies, to be payable by monthly or annual instalments.
- FORM No. 5.—Form of Closing Order.
- FORM No. 6.—Form of Notice of Closing Order.
- FORM No. 7.—Form of Notice of Appeal against a Closing Order.
- FORM No. 8.—Form of Notice of Closing Order which has become Operative.
- FORM No. 9.—Form of Order Determining Closing Order.
- FORM No. 10.—Form of Notice of Refusal of Local Authority to Determine a Closing Order.
- FORM No. 11.—Form of Notice of Appeal against Refusal of Local Authority to Determine a Closing Order.
- FORM No. 12.—Form of Notice of Time and Place at which the Question of the Demolition of a Dwelling-house will be considered.
- FORM No. 13.—Form of Order for Demolition of a Dwelling-house.
- FORM No. 14.—Form of Notice of Order for Demolition of a Dwelling-house.
- FORM No. 15.—Form of Notice of Appeal against a Demolition Order.
- FORM No. 16.—Form of Order for Demolition of Building being, or being part of a Dwelling-house, the continuance of which is a nuisance or dangerous or injurious to the health of the Public or of the inhabitants of the neighbouring Dwelling-house.
- FORM No. 17.—Form of Notice of Order for Demolition of Building being, or being part of a Dwelling-house, the continuance of which is a nuisance or dangerous or injurious to the health of the Public or of the inhabitants of the neighbouring Dwelling-house.
- FORM No. 18.—Form of Notice of Appeal against an Order for the Demolition of Building being, or being part of a Dwelling-house, the continuance of which is a nuisance or dangerous or injurious to the health of the Public or of the inhabitants of the neighbouring Dwelling-house.
- FORM No. 19.—Form of Order postponing Operation of Order for Demolition of a Dwelling-house.
- FORM No. 20.—Form of Order determining Closing and Demolition Orders.

\* This Order has been placed on sale, and copies of it may be obtained, either directly or through any bookseller, from His Majesty's Stationery Office at the following addresses :—Imperial House, Kingsway, London, W.C. 2 ; 28, Abingdon Street, London, S.W. 1 ; 37, Peter Street, Manchester ; and 1, St. Andrew's Crescent, Cardiff.

## FORM NO. 1.

Form of Notice by Person authorised by the Local Authority or Minister of Health before entry for the purpose of survey and examination or valuation under Section 36 of the Housing, Town Planning, &c. Act, 1909.

## HOUSING ACTS, 1890 to 1919.

To<sup>1</sup>\*  
of the house<sup>3</sup> buildings<sup>3</sup> premises<sup>3</sup>

the<sup>2</sup>

Take Notice that in pursuance of Section 36 of the Housing, Town Planning, &c. Act, 1909, I,<sup>4</sup>

being a person duly authorised in writing by the<sup>5</sup>

intend, on the† day of 19 , at any time between the hours of‡  
in the forenoon and in the afternoon, to enter the above-  
mentioned house for the purpose of survey and examination or survey or valuation.

Dated this day of , 19 .

Signature _____	} of person authorised to enter.
Description _____	
Residence or Place of Business _____	

*Directions for filling up this Form.*

Insert—

- <sup>1</sup> The name and description, where known, of Occupier or Owner.
- <sup>2</sup> " Occupier " or " Owner."
- <sup>3</sup> Such a description of the house, buildings or premises as may be sufficient for identification.  
Strike out the words not required.
- <sup>4</sup> Name and description of person authorised by the Local Authority to enter.
- <sup>5</sup> Description of the Local Authority.

\* Notice must be given to the occupier and also to the owner if the owner is known. Notice may be given to the occupier by leaving a notice addressed to the occupier, without name or further description, at the house, buildings or premises.

† Twenty-four hours' notice must be given.

‡ Entry must be at reasonable times of the day.



## FORM NO. 2.

Form of Notice requiring Owner to execute works in the case of a house to which Section 28 of the Housing, Town Planning, &c. Act, 1919, applies.

## HOUSING ACTS, 1890 TO 1919.

To<sup>1</sup> \_\_\_\_\_, the owner of the house<sup>2</sup>

## Take Notice—

That it appears to the<sup>3</sup> \_\_\_\_\_ that the above-mentioned house is a house suitable for occupation by persons of the working classes, and that you have failed to make and keep it in all respects reasonably fit for human habitation ;

And that, in pursuance of Sub-section (1) of Section 28 of the Housing, Town Planning, &c. Act, 1919, the said<sup>3</sup> \_\_\_\_\_ do hereby require you within a period of\* \_\_\_\_\_ days, ending on the day of \_\_\_\_\_, 19\_\_\_\_, to execute the following works as being necessary to make the said house in all respects reasonably fit for human habitation, namely<sup>4</sup>—

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signature of Clerk of Local Authority \_\_\_\_\_

*Note.*

Under Section 28 of the Housing, Town Planning, &c. Act, 1919, if the owner of any house suitable for occupation by persons of the working classes fails to make and keep such house in all respects reasonably fit for human habitation, the local authority may serve a notice on the owner requiring him within a reasonable time, not being less than twenty-one days, specified in the notice, to execute such works as may be necessary to make the house in all respects reasonably fit for human habitation. Provided that if the house is not capable without reconstruction of being rendered fit for human habitation, the owner may within twenty-one days after the receipt of the notice requiring the execution of such works, by written notice to the local authority, declare his intention of closing the house for human habitation, and thereupon a closing order shall be deemed to have become operative in respect of such house. Any such declaration by the owner must be in the prescribed form.

Any question arising under this proviso is, in case of difference between the owner and the local authority, to be determined by the Minister of Health.

If the notice of the local authority is not complied with, the local authority may—

- (a) At the expiration of the time specified in that notice, if no notice to close the house has been given by the owner ; and
  - (b) At the expiration of twenty-one days from the determination by the Minister of Health if such notice has been given by the owner and the Minister of Health has determined that the house is capable without reconstruction of being made fit for human habitation ;
- do the work required to be done.

Any expenses incurred by the local authority under this Section may be recovered in a court of summary jurisdiction, together with interest at a rate not exceeding five pounds per centum per annum from the date of service of a demand for the same till payment thereof from the owner, and such expenses and interest are to be a charge on the premises until recovered. In all summary proceedings by the local authority for the recovery of any such expenses, the time within which such proceedings may be taken is to be reckoned from the date of the service of notice of demand.

The local authority may by order declare any such expenses to be payable by monthly or annual instalments within a period not exceeding thirty years with interest at a rate not exceeding five pounds per centum per annum from the date of the service of notice of demand until the whole amount is paid, and any such instalments and interest or any part thereof may be recovered in a summary manner from the owner or occupier, and if recovered from the occupier may be deducted by him from the rent of such premises.

*Directions for filling up this Form.*

## Insert—

- <sup>1</sup> Name, residence or place of business, and description, where known, of owner.
- <sup>2</sup> Such a description of the house as may be sufficient for its identification.
- <sup>3</sup> Description of the Local Authority.
- <sup>4</sup> Description of works to be executed.

\* A reasonable time, not being less than twenty-one days, must be specified.

## FORM NO. 3.

Form of Notice declaring intention of Owner to close for Human Habitation a house to which Section 28 of the Housing, Town Planning, &c. Act, 1919, applies.

## HOUSING ACTS, 1890 TO 1919.

To the<sup>1</sup>

Whereas by a notice dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the Local Authority in pursuance of Sub-section (1) of Section 28 of the Housing, Town Planning, &c. Act, 1919, have required the owner of the house<sup>2</sup> \_\_\_\_\_ to execute within the time specified in that notice, the works which are specified in the said notice as being necessary to make the said house in all respects reasonably fit for human habitation ;

And whereas it appears to me, the owner of the house, that the house is not capable, without reconstruction, of being rendered fit for human habitation.

Now, therefore, I do by this Notice declare my intention of closing the said house for human habitation.

As witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signature \_\_\_\_\_  
 Residence or Place of Business \_\_\_\_\_  
 Description \_\_\_\_\_

} of owner.

*Note.*

By Sub-section (1) of Section 28 of the Housing, Town Planning, &c. Act, 1919, it is provided that within twenty-one days after the receipt of the notice of the local authority in pursuance of that Sub-section, the owner may, if the house is not capable without reconstruction of being rendered fit for human habitation, by written notice to the local authority declare his intention of closing the house for human habitation, and thereupon a closing order shall be deemed to have become operative in respect of such house.

*Directions for filling up this Form.*

Insert—

<sup>1</sup> Description of the Local Authority.

<sup>2</sup> Such a description of the house as may be sufficient for its identification.



## FORM NO. 4.

Form of Order declaring Expenses incurred by the Local Authority in the case of a house to which Section 28 of the Housing, Town Planning, &c. Act, 1919, applies to be payable by Monthly or Annual Instalments.

## HOUSING ACTS, 1890 to 1919.

To<sup>1</sup> \_\_\_\_\_ the { owner<sup>2</sup> } of the  
house<sup>3</sup>

Whereas by a notice dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, We, the<sup>4</sup> \_\_\_\_\_ in pursuance of Sub-section (1) of Section 28 of the Housing, Town Planning, &c. Act, 1919, have required the owner of the above-mentioned house to execute, within the time specified in that notice, the works specified in the said notice as being necessary to make the said house in all respects reasonably fit for human habitation ;

(a) <sup>5</sup>And whereas the said notice has not been complied with and the owner has not given in pursuance of the said Sub-section a notice declaring his intention of closing the said house for human habitation ;

(b) <sup>5</sup>And whereas notice having been given by the owner in pursuance of the said Sub-section declaring his intention of closing the said house for human habitation, the Minister of Health has determined that the house is capable without reconstruction of being made fit for human habitation and twenty-one days have elapsed since the date of such determination by the Minister of Health ;

And whereas We, the said<sup>4</sup> \_\_\_\_\_ in pursuance of Sub-section (2) of the same Section have done the work required to be done, and have incurred in so doing expenses amounting to the sum of £ \_\_\_\_\_ : \_\_\_\_\_ : \_\_\_\_\_

Now therefore We, the said<sup>4</sup> \_\_\_\_\_ do, by this Our Order, declare that the said expenses amounting to the sum of £ \_\_\_\_\_ : \_\_\_\_\_ : \_\_\_\_\_ shall be payable by { monthly<sup>6</sup> } instalments of £ \_\_\_\_\_ : \_\_\_\_\_ : \_\_\_\_\_ within a period not exceeding\* \_\_\_\_\_ years, with interest at the rate of † \_\_\_\_\_ pounds per cent. per annum, until the whole amount is paid.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(To be sealed with the common seal of the Local Authority.)

Signature of Clerk of Local Authority \_\_\_\_\_

## Note.

By Sub-section (4) of Section 28 of the Housing, Town Planning, &c. Act, 1919, it is provided that any instalments or interest or any part of any instalments or interest under an order of the local authority declaring their expenses to be payable by monthly or annual instalments may be recovered in a summary manner from the owner or occupier, and if recovered from the occupier may be deducted by him from the rent of the premises.

## Directions for filling up this Form.

## Insert—

- <sup>1</sup> Name, residence or place of business, and description, where known, of owner or occupier.
- <sup>2</sup> Strike out the word not required.
- <sup>3</sup> Such a description of the house as may be sufficient for its identification.
- <sup>4</sup> Description of the Local Authority.
- <sup>5</sup> Strike out paragraph (a) or (b) as the case may be.
- <sup>6</sup> Strike out either "monthly" or "annual."

\* The period to be specified must not exceed thirty years.

† The rate of interest must not exceed five pounds per cent. per annum.

## FORM No. 5.

## Form of Closing Order.

## HOUSING ACTS, 1890 TO 1919.

Whereas under sub-section (2) of Section 17 of the Housing, Town Planning, &c. Act, 1909, it is the duty of the Local Authority if, on the representation of the Medical Officer of Health, or of any other Officer of the Local Authority, or other information given, any dwelling-house appears to the Local Authority to be in a state so dangerous or injurious to health as to be unfit for human habitation, to make a Closing Order, that is to say, an Order prohibiting the use of the dwelling-house for human habitation until in the judgment of the Local Authority the dwelling-house is rendered fit for that purpose ;

And whereas it appears to the<sup>1</sup>  
on<sup>2</sup>  
that the dwelling-house<sup>3</sup> is in a state so dangerous or injurious to  
health as to be unfit for human habitation ;

Now, therefore, We, the said<sup>1</sup>  
in pursuance of Sub-section (2) of Section 17 of the Housing, Town Planning, &c. Act, 1909, do, by  
this Our Order, prohibit the use of the said dwelling-house for human habitation, until, in Our judgment,  
it is rendered fit for that purpose.

Dated this                      day of                      , 19                      .

*(To be sealed with the common seal of the Local Authority.)*

Signature of Clerk of Local Authority \_\_\_\_\_

*Directions for filling up and adapting this Form.*

Insert—

- <sup>1</sup> Description of the Local Authority.
- <sup>2</sup> “ The representation of the Medical Officer of Health ” or “ the representation of the (*specify the Officer*) ” or “ information given.”
- <sup>3</sup> Such a description of the dwelling-house as may be sufficient for its identification.



## FORM No. 6.

## Form of Notice of Closing Order.

## HOUSING ACTS, 1890 to 1919.

To<sup>1</sup> \_\_\_\_\_, owner  
of the dwelling-house<sup>2</sup>

Take Notice :—

That the<sup>3</sup>

have in pursuance of the Housing, Town Planning, &c. Act, 1909, made a Closing Order prohibiting the use for human habitation of the above-mentioned dwelling-house until in the judgment of the Local Authority the dwelling-house is rendered fit for that purpose ;

A copy<sup>4</sup> of the said Closing Order is annexed.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

Signature of Clerk of Local Authority \_\_\_\_\_

*Note.*

The owner of the dwelling-house can appeal to the Minister of Health against the Closing Order within fourteen days after notice thereof is served on him by giving notice of appeal in the form annexed. On such an appeal the substantial question to be considered is whether the house in its present state is so dangerous or injurious to health as to be unfit for human habitation. If the owner does not appeal against the Closing Order, the Order becomes operative at the expiration of fourteen days after it was served, and it is then the duty of the Local Authority to serve notice on the occupier requiring him and his family to quit the house within a specified period not being less than fourteen days. It is open to the owner to take steps to render the house fit for habitation, and when he has done so, to apply to the Local Authority to determine the Closing Order. If the Local Authority refuse his application he may then, within fourteen days after such refusal, give notice of appeal against it to the Minister of Health.

The procedure on appeal is governed by rules\* made by the Minister of Health.

The Acts provide—

- (a) That the Minister of Health shall not dismiss any appeal without having first held a public local inquiry, unless the appellant fails to prosecute his appeal with due diligence ;
- (b) That the Minister of Health may, before considering any appeal, require the appellant to deposit such sum to cover the costs of the appeal as may be fixed by the rules. The sum at present fixed is a sum not exceeding £10.

Any person who lets or attempts to let or occupies or permits to be occupied any house in respect of which a Closing Order is in force is liable to a fine of £20.

*Directions for filling up this Form.*

Insert—

- <sup>1</sup> Name, residence or place of business, and description, where known, of owner.
- <sup>2</sup> Such a description of the dwelling-house as may be sufficient for its identification.
- <sup>3</sup> Description of the Local Authority.
- <sup>4</sup> The form annexed must be filled up so as to agree with the Closing Order sealed by the Local Authority.

\* These rules are printed in appendix V. to this Manual.

## COPY\* OF BEFORE-MENTIONED CLOSING ORDER.

## Closing Order.

## HOUSING ACTS, 1890 to 1919.

Whereas under Sub-section (2) of Section 17 of the Housing, Town Planning, &c. Act, 1909, it is the duty of the Local Authority if, on the representation of the Medical Officer of Health, or of any other Officer of the Local Authority, or other information given, any dwelling-house appears to the Local Authority to be in a state so dangerous or injurious to health as to be unfit for human habitation, to make a Closing Order, that is to say, an Order prohibiting the use of the dwelling-house for human habitation until in the judgment of the Local Authority the dwelling-house is rendered fit for that purpose ;

And whereas it appears to the  
on  
that the dwelling-house is in a state so dangerous or  
injurious to health as to be unfit for human habitation :

Now, therefore, We, the said  
in pursuance of Sub-section (2) of Section 17 of the Housing, Town Planning, &c. Act, 1909, do, by this  
Our Order, prohibit the use of the said dwelling-house for human habitation, until, in Our judgment,  
it is rendered fit for that purpose.

Dated this                      day of                      , 19                      .

(L.S.)

Signature of Clerk of Local Authority.....

\* An exact copy of the Closing Order should be given here.

## Form of Notice of Appeal against a Closing Order.

## HOUSING ACTS, 1890 to 1919.

Notice of appeal may be given by filling up and sending to the Minister of Health either this print or a copy of it, within fourteen days after the day on which notice of the Closing Order was served.

Full name of appellant.....

Full address of appellant.....

Full address of the dwelling-house, in respect of which the appeal is made.....

I, the undersigned, being an owner of the above-mentioned dwelling-house, hereby appeal against  
a Closing Order in respect of the dwelling-house made by the (state name of Local Authority).....  
notice of which was served on me on (state date).....

19                      .

My interest in the dwelling-house is (state whether freeholder, or lessee under a lease the original term  
whereof was not less than twenty-one years, or mortgagee, or what other interest the appellant has in the house) :—

The grounds on which I appeal are (If the appeal is on the ground that the house is not in a state so  
dangerous or injurious to health as to be unfit for human habitation, the exact reason for this contention  
should be stated. If the appeal is on technical grounds, full particulars should be given).

Signature of Appellant.....

Date.....

## Note.

The Closing Order appealed against or a copy of it must be forwarded to the Minister of Health  
with this appeal.

The Appellant must notify the Local Authority forthwith of any appeal to the Minister of Health.



## FORM NO. 7.

## Form of Notice of Appeal against a Closing Order.

## HOUSING ACTS, 1890 TO 1919.

Notice of appeal may be given by filling up and sending to the Minister of Health either this print or a copy of it, within fourteen days after the day on which notice of the Closing Order was served.

Full name of appellant\_\_\_\_\_

Full address of appellant\_\_\_\_\_

Full address of the dwelling-house, in respect of which the appeal is made \_\_\_\_\_

I, the undersigned, being an owner of the above-mentioned dwelling-house, hereby appeal against a Closing Order in respect of the dwelling-house made by the (*state name of Local Authority*)\_\_\_\_\_ notice of which was served on me on (*state date*)\_\_\_\_\_ 19\_\_\_\_\_.

My interest in the dwelling-house is (*state whether freeholder, or lessee under a lease the original term whereof was not less than twenty-one years, or mortgagee, or what other interest the appellant has in the house*):—

The grounds on which I appeal are (*If the appeal is on the ground that the house is not in a state so dangerous or injurious to health as to be unfit for human habitation, the exact reason for this contention should be stated. If the appeal is on technical grounds, full particulars should be given*).

Signature of Appellant\_\_\_\_\_

Date\_\_\_\_\_

## Note.

The Closing Order appealed against or a copy of it must be forwarded to the Minister of Health with this appeal.

The Appellant must notify the Local Authority forthwith of any appeal to the Minister of Health.

## FORM NO. 8.

## Form of Notice of Closing Order which has become Operative.

## HOUSING ACTS, 1890 TO 1919.

To<sup>1</sup> \_\_\_\_\_, the occupier  
of the dwelling-house<sup>2</sup>

Take Notice :—

That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
<sup>3</sup>in pursuance of the Housing, Town Planning, &c. Act, 1909, made  
a Closing Order prohibiting the use for human habitation of the above-mentioned dwelling-house until  
in the judgment of the Local Authority the dwelling-house is rendered fit for that purpose ;

And that the Closing Order has now become operative ;

And also that in pursuance of Sub-section (4) of Section 17 of the Housing, Town Planning, &c.  
Act, 1909, within\* \_\_\_\_\_ days after the service of this Notice the said Closing Order must be  
obeyed by you, and you and your family must cease to inhabit the said dwelling-house.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signature of Clerk of Local Authority \_\_\_\_\_

*Note.*

By Sub-section (4) of Section 17 of the Housing, Town Planning, &c. Act, 1909, as amended by  
Section 39 of the Housing, Town Planning, &c. Act, 1919, it is enacted as follows :—

Where a Closing Order has become operative, the Local Authority shall serve notice of the  
order on the occupier of the dwelling-house in respect of which the order is made, and, within  
such period as is specified in the notice, not being less than fourteen days after the service of the  
notice, the order shall be obeyed by him, and he and his family shall cease to inhabit the dwelling-  
house, and in default he shall be liable on summary conviction to be ordered to quit the dwelling-  
house within such time as may be specified in the order.

Sub-section (5) of the first-mentioned Section is in these terms :—

Unless the dwelling-house has been made unfit for habitation by the wilful act or default of  
the tenant or of any person for whom as between himself and the owner or landlord he is responsible,  
the Local Authority may make to every such tenant such reasonable allowance on account of his  
expense in removing as may be determined by the Local Authority with the consent of the owner  
of the dwelling-house, or, if the owner of the dwelling-house fails to consent to the sum determined  
by the Local Authority, as may be fixed by a court of summary jurisdiction, and the amount of the  
said allowance shall be recoverable by the Local Authority from the owner of the dwelling-house  
as a civil debt in manner provided by the Summary Jurisdiction Acts.

Any person who lets or attempts to let or occupies or permits to be occupied any house in respect of  
which a Closing Order is in force is liable to a fine of £20.

*Directions for filling up this Form.*

Insert—

- <sup>1</sup> Name of Occupier.
- <sup>2</sup> Such a description of the dwelling-house as may be sufficient for its identification.
- <sup>3</sup> Description of the Local Authority.

\* The period must be not less than fourteen days after the service of the notice.



## FORM NO. 9.

## Form of Order Determining Closing Order.

## HOUSING ACTS, 1890 TO 1919.

To<sup>1</sup> \_\_\_\_\_, owner of the dwelling-house<sup>2</sup>

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, in pursuance of the Housing Acts, 1890 to 1919, a Closing Order was made by Us, the<sup>3</sup> \_\_\_\_\_, in respect of the above-mentioned dwelling-house, and by the said Closing Order, We, the said<sup>3</sup> \_\_\_\_\_, prohibited the use of the said dwelling-house for human habitation until, in Our judgment, the dwelling-house should be rendered fit for that purpose ;

And whereas We, the said<sup>3</sup> \_\_\_\_\_ are satisfied that the said dwelling-house has been rendered fit for human habitation :

Now therefore We, the said<sup>3</sup> \_\_\_\_\_ do hereby determine the Closing Order aforesaid.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

*(To be sealed with the common seal of the Local Authority.)*

Signature of Clerk of Local Authority.....

*Directions for filling up this Form.*

Insert—

- <sup>1</sup> Name, residence or place of business, and description, where known, of owner.
- <sup>2</sup> Such a description of the dwelling-house as may be sufficient for its identification.
- <sup>3</sup> Description of the Local Authority.

FORM No. 10.

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**Form of Notice of Refusal of Local Authority to Determine a Closing Order.**

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## HOUSING ACTS, 1890 TO 1919.

To<sup>1</sup> \_\_\_\_\_, owner of the  
dwelling-house<sup>2</sup>

Take Notice that the<sup>3</sup> \_\_\_\_\_, having considered your application to Them to determine the Closing Order made by Them in pursuance of the Housing Acts, 1890 to 1919, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, in respect of the above-mentioned dwelling-house, have this day refused to determine the said Closing Order.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signature of Clerk of Local Authority \_\_\_\_\_

---

*Note.*

Under the provisions of Sub-section (6) of Section 17 of the Housing, Town Planning, &c. Act, 1909 :

The Local Authority are required to determine any Closing Order made by them if they are satisfied that the dwelling-house, in respect of which the order has been made, has been rendered fit for human habitation.

If, on the application of any owner of a dwelling-house, the Local Authority refuse to determine a Closing Order, the owner may appeal to the Minister of Health by giving notice of appeal to him within fourteen days after the application is refused. Notice of any such appeal must be in the form annexed.

*Procedure on Appeal.*

The procedure on any such appeal is governed by rules\* made by the Minister of Health.

The Acts provide :—

- (a) That the Minister of Health shall not dismiss any appeal without having first held a public local inquiry unless the appellant fails to prosecute his appeal with due diligence.
  - (b) That the Minister of Health may before considering any appeal, require the appellant to deposit such sum to cover the costs of the appeal as may be fixed by the rules. The sum at present fixed is a sum not exceeding £10.
- 

*Directions for filling up this Form.*

Insert—

- <sup>1</sup> Name, residence or place of business, and description, where known, of Owner.
- <sup>2</sup> Such a description of the dwelling-house as may be sufficient for its identification.
- <sup>3</sup> Description of the Local Authority.

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\* These rules are printed in appendix V.



## FORM NO. 10—(continued).

**Form of Notice of Appeal against refusal of Local Authority to determine a Closing Order.**

(Notice of appeal may be given by filling up and sending to the Minister of Health either this print or a copy of it within fourteen days after the day on which the notice of refusal of the Local Authority to determine the Closing Order was served on the appellant.)

Full name of appellant.....

Full address of appellant.....

Full address of the dwelling-house, in respect of which the appeal is made.....

I, the undersigned, being an owner of the above-mentioned dwelling-house, hereby appeal against the refusal of *(state name of Local Authority)* to determine a Closing Order made by them in respect of the dwelling-house. Notice of the refusal of the Council to determine the Closing Order was received by me on the *(state date)*, 19 .

My interest in the dwelling-house is *(State whether a freeholder or lessee under a lease the original term whereof was not less than twenty-one years, or mortgagee, or what other interest the appellant has in the house).*

The grounds on which I appeal are *(If the appeal is on the ground that the dwelling-house has been rendered fit for human habitation, the repairs or improvements carried out should be specified. If the appeal is on technical grounds, full particulars should be given) :—*

Signature of Appellant.....

Date.....

*Note.*

The Closing Order and the formal refusal of the Local Authority to determine it, or a copy of them, must be forwarded to the Minister of Health with this appeal.

The Appellant must notify the Local Authority forthwith of any appeal to the Minister of Health.

## FORM NO. 11.

**Form of Notice of Appeal against refusal of Local Authority to determine a Closing Order.**

## HOUSING ACTS, 1890 to 1919.

(Notice of appeal may be given by filling up and sending to the Minister of Health either this print or a copy of it within fourteen days after the day on which the notice of refusal of the Local Authority to determine the Closing Order was served on the appellant.)

Full name of appellant\_\_\_\_\_

Full address of appellant\_\_\_\_\_

Full address of the dwelling-house, in respect of which the appeal is made\_\_\_\_\_

I, the undersigned, being an owner of the above-mentioned dwelling-house, hereby appeal against the refusal of *(state name of Local Authority)* to determine a Closing Order made by them in respect of the dwelling-house. Notice of the refusal of the Council to determine the Closing Order was received by me on the *(state date)*, 19 .

My interest in the dwelling-house is *(State whether a freeholder or lessee under a lease the original term whereof was not less than twenty-one years, or mortgagee, or what other interest the appellant has in the house).*

The grounds on which I appeal are *(If the appeal is on the ground that the dwelling-house has been rendered fit for human habitation, the repairs or improvements carried out should be specified. If the appeal is on technical grounds, full particulars should be given) :—*

Signature of Appellant\_\_\_\_\_

Date\_\_\_\_\_

*Note.*

The Closing Order and the formal refusal of the Local Authority to determine it, or a copy of them, must be forwarded to the Minister of Health with this appeal.

The appellant must notify the Local Authority forthwith of any appeal to the Minister of Health.



## FORM NO. 12.

**Form of Notice of Time and Place at which the Question of the Demolition of a Dwelling-house will be considered.**

## HOUSING ACTS, 1890 to 1919.

To<sup>1</sup> \_\_\_\_\_, owner of the dwelling-house<sup>2</sup>

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, in pursuance of the Housing Acts, 1890 to 1919, a Closing Order was made by the<sup>3</sup> \_\_\_\_\_ in respect of the above-mentioned dwelling-house, and the said Closing Order has remained operative for a period of three months ;

Take Notice, that the question of the demolition of the said dwelling-house will be considered by the said<sup>3</sup>

at \_\_\_\_\_ on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the\* \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, noon, when any owner of the said dwelling-house will be entitled to be heard.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signature of Clerk of Local Authority.....

*Directions for filling up this Form.*

## Insert—

- <sup>1</sup> Name, residence or place of business, and description, where known, of owner.
- <sup>2</sup> Such a description of the dwelling-house as may be sufficient for its identification.
- <sup>3</sup> Description of the Local Authority.

\* The time must be not less than one month after the service of this notice.

## FORM NO. 13.

**Form of Order for Demolition of Dwelling-house.**

## HOUSING ACTS, 1890 to 1919.

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, in pursuance of the Housing Acts, 1890 to 1919, a Closing Order was made by Us, the<sup>1</sup> \_\_\_\_\_ in respect of the dwelling-house<sup>2</sup> and the said Closing Order has remained operative for a period of three months ;

And whereas after complying with the requirements of Sub-section (1) of Section 18 of the Housing, Town Planning, &c. Act, 1909, and upon consideration of the question of the demolition of the said dwelling-house, We, the said<sup>1</sup> \_\_\_\_\_ are of opinion that the dwelling-house has not been rendered fit for human habitation, and that the necessary steps are not being taken with all due diligence to render it so fit ;

Now, therefore, We, the said<sup>1</sup> \_\_\_\_\_ in pursuance of Sub-section (2) of Section 18 of the Housing, Town Planning, &c. Act, 1909, do order the demolition of the dwelling-house aforesaid.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(To be sealed with the common seal of the Local Authority.)

Signature of Clerk of Local Authority.....

*Directions for filling up this Form.*

## Insert—

- <sup>1</sup> Description of the Local Authority.
- <sup>2</sup> Such a description of the dwelling-house as may be sufficient for its identification.

FORM NO. 14.

**Form of Notice of Order for Demolition of a Dwelling-house.**

HOUSING ACTS, 1890 TO 1919.

To<sup>1</sup>  
house<sup>2</sup>

, owner of the dwelling-

Take notice :—

That the<sup>3</sup> have in pursuance of  
the Housing, Town Planning, &c. Act, 1909, made an order for the demolition of the above-mentioned  
dwelling-house.

A copy<sup>4</sup> of the Demolition Order is annexed.

Dated this                      day of                      , 19 .

Signature of Clerk of Local Authority\_\_\_\_\_

*Note.*

Section 18 of the Housing, Town Planning, &c. Act, 1909, as amended by subsequent Acts is to the following effect :—

Where a Closing Order in respect of any dwelling-house has remained operative for a period of three months, the Local Authority are to take into consideration the question of the demolition of the dwelling-house, and are to give every owner of the dwelling-house notice of the time (being some time not less than one month after the service of the notice) and place at which the question will be considered, and any owner of the dwelling-house is to be entitled to be heard when the question is so taken into consideration.

If upon any such consideration the Local Authority are of opinion that the dwelling-house has not been rendered fit for human habitation, and that the necessary steps are not being taken with all due diligence to render it so fit, or that the continuance of any building, being or being part of the dwelling-house, is a nuisance or dangerous or injurious to the health of the public or of the inhabitants of the neighbouring dwelling-houses, they are to order the demolition of the building.

If any owner undertakes to execute forthwith the works necessary to render the dwelling-house fit for human habitation, and the Local Authority consider that it can be so rendered fit for human habitation, the Local Authority may, if they think fit, postpone the operation of the order for such time, not exceeding six months, as they think sufficient for the purpose of giving the owner an opportunity of executing the necessary works, and if and when the necessary works are completed to their satisfaction, the Local Authority shall determine the Closing and Demolition Orders relating to the dwelling-house.

Notice of an order for the demolition of a building is to be forthwith served on every owner of the building in respect of which it is made, and any owner aggrieved by the order may appeal to the Minister of Health by giving notice of appeal to the Minister within twenty-one days after the notice is served upon him, or where the operation of the order has been postponed for any period within fourteen days after the expiration of that period.

Notice of any such appeal must be in the form annexed.

*Procedure on Appeal.*

The procedure on any such appeal is governed by rules\* made by the Minister of Health.

The Acts provide :—

- (a) That the Minister of Health shall not dismiss any appeal without having first held a public local inquiry unless the appellant fails to prosecute his appeal with due diligence.
- (b) That the Minister of Health may before considering any appeal, require the appellant to deposit such sum to cover the costs of the appeal as may be fixed by the rules. The sum at present fixed is a sum not exceeding £10.

A Demolition Order does not become operative until either the time within which an appeal can be made has elapsed, without an appeal being made, or in case an appeal is made, the appeal is determined or abandoned.

*Directions for filling up this Form.*

Insert—

- <sup>1</sup> Name, residence or place of business, and description, where known, of owner.
- <sup>2</sup> Such a description of the dwelling-house as may be sufficient for its identification.
- <sup>3</sup> Description of the Local Authority.
- <sup>4</sup> The form annexed must be filled up so as to agree with the Demolition Order sealed by the Local Authority.

\* These rules are printed in appendix V.



FORM NO. 14—(continued).

COPY\* OF THE ABOVE-MENTIONED DEMOLITION ORDER.

**Order for Demolition of a Dwelling-house.**

HOUSING ACTS, 1890 TO 1919.

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, in pursuance of the Housing Acts, 1890 to 1919, a Closing Order was made by Us, the \_\_\_\_\_, in respect of the dwelling-house \_\_\_\_\_, and the said Closing Order has remained operative for a period of three months ;

And whereas after complying with the requirements of Sub-section (1) of Section 18 of the Housing, Town Planning, &c. Act, 1909, and upon consideration of the question of the demolition of the said dwelling-house, We, the said \_\_\_\_\_, are of opinion that the dwelling-house has not been rendered fit for human habitation, and that the necessary steps are not being taken with all due diligence to render it so fit ;

Now, therefore, We, the said \_\_\_\_\_, in pursuance of Sub-section (2) of Section 18 of the Housing, Town Planning, &c. Act, 1909, do order the demolition of the dwelling-house aforesaid.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(L.S.)

Signature of Clerk of Local Authority.....

\* An exact copy of the Demolition Order should be given here.

**Form of Notice of Appeal against a Demolition Order.**

(Notice of appeal may be given by filling up and sending to the Minister of Health, either this print, or a copy of it, within twenty-one days after the day on which the notice of the Demolition Order was served, or, if the operation of the Demolition Order has been postponed for a period not exceeding six months, within fourteen days after the expiration of that period.)

Full name of appellant.....

Full address of appellant.....

Full address of the dwelling-house, in respect of which the appeal is made.....

I, the undersigned, being an owner of the above-mentioned dwelling-house, hereby appeal against a Demolition Order in respect of the dwelling-house made by the (state name of Local Authority) notice of which was served on me on (state date, and, if the operation of the Demolition Order was postponed for any period, state the date on which that period expired.)  
\_\_\_\_\_, 19\_\_\_\_.

My interest in the dwelling-house is (state whether a freeholder, or lessee under a lease the original term whereof was not less than twenty-one years, or mortgagee, or what other interest the appellant has in the house)  
.....

The grounds on which I appeal are (If the appeal is on the ground that the dwelling-house has been rendered fit for human habitation, the repairs or improvements which have been carried out should be specified.)  
.....

Signature of Appellant.....

Date.....

**Note.**

The Demolition Order appealed against and also, if possible, the Closing Order, or a copy of them, must be forwarded to the Minister of Health with this appeal.

The Appellant must notify the Local Authority forthwith of any appeal to the Minister of Health.

## FORM No. 15.

## Form of Notice of Appeal against a Demolition Order.

## HOUSING ACTS, 1890 to 1919.

(Notice of appeal may be given by filling up and sending to the Minister of Health, either this print, or a copy of it, within twenty-one days after the day on which the notice of Demolition Order was served, or, if the operation of the Demolition Order has been postponed for a period not exceeding six months, within fourteen days after the expiration of that period.)

Full name of appellant.....

Full address of appellant.....

Full address of the dwelling-house, in respect of which the appeal is made.....

I, the undersigned, being an owner of the above-mentioned dwelling-house, hereby appeal against a Demolition Order in respect of the dwelling-house made by the *(state name of Local Authority)* notice of which was served on me on *(state date, and, if the operation of the Demolition Order was postponed for any period, state the date on which that period expired)* , 19 .

My interest in the dwelling-house is *(state whether a freeholder, or lessee under a lease the original term whereof was not less than twenty-one years, or mortgagee, or what other interest the appellant has in the house)* .....

The grounds on which I appeal are *(If the appeal is on the ground that the dwelling-house has been rendered fit for human habitation, the repairs or improvements which have been carried out should be specified).*

Signature of Appellant.....

Date.....

## Note.

The Demolition Order appealed against and also, if possible, the Closing Order, or a copy of them, must be forwarded to the Minister of Health with this appeal.

The Appellant must notify the Local Authority forthwith of any appeal to this Minister of Health.



## FORM NO. 16.

**Form of Order for Demolition of Building being or being part of a Dwelling-house the continuance of which is a nuisance or dangerous or injurious to the health of the Public or of the Inhabitants of the neighbouring Dwelling-houses.**

## HOUSING ACTS, 1890 to 1919.

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, in pursuance of the Housing Acts, 1890 to 1919, a Closing Order was made by Us, the<sup>1</sup> \_\_\_\_\_ in respect of the dwelling-house<sup>2</sup> \_\_\_\_\_ and the said Closing Order has remained operative for a period of three months ;

And whereas after compliance with the requirements of Sub-section (1) of Section 18 of the Housing, Town Planning, &c. Act, 1909, and upon consideration of the question of the demolition of the said dwelling-house, We, the said<sup>1</sup> \_\_\_\_\_ are of opinion that the continuance of the<sup>3</sup> \_\_\_\_\_ is <sup>4</sup>a nuisance and <sup>4</sup>dangerous or injurious to the health of the public and <sup>4</sup>dangerous or injurious to the health of the inhabitants of the neighbouring dwelling-houses ;

Now, therefore, We, the said<sup>1</sup> \_\_\_\_\_ in pursuance of Sub-section (2) of Section 18 of the Housing, Town Planning, &c. Act, 1909, do order the demolition of the<sup>5</sup> \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

*(To be sealed with the common seal of the Local Authority.)*

Signature of Clerk of Local Authority.....

*Directions for filling up and adapting this Form.*

Insert—

- <sup>1</sup> Description of the Local Authority.
- <sup>2</sup> Such a description of the dwelling-house as may be sufficient for its identification.
- <sup>3</sup> " Said dwelling-house." or " part of the said dwelling-house " as the case may be, followed in the latter case by such a description of the part as may be sufficient for its identification.
- <sup>4</sup> Strike out any words that are inapplicable.
- <sup>5</sup> " Said dwelling-house " or " said part of the said dwelling-house," as the case may be.

## FORM No. 17.

**Form of Notice of Order for Demolition of Building being or being part of a Dwelling-house the continuance of which is a nuisance or dangerous or injurious to the health of the Public or of the inhabitants of the neighbouring Dwelling-houses.**

## HOUSING ACTS, 1890 to 1919.

To<sup>1</sup>  
house<sup>2</sup>

, owner of the dwelling-

Take notice :—

That the<sup>3</sup> have in pursuance of the Housing, Town Planning, &c. Act, 1909, made an order for the demolition of the building therein described, being or being part of the above-mentioned dwelling-house.

A copy<sup>4</sup> of the Demolition Order is annexed.

Dated this                      day of                      , 19   .

Signature of Clerk of Local Authority \_\_\_\_\_

*Note.*

Section 18 of the Housing, Town Planning, &c. Act, 1909, as amended by subsequent Acts is to the following effect :—

Where a Closing Order in respect of any dwelling-house has remained operative for a period of three months, the Local Authority are to take into consideration the question of the demolition of the dwelling-house, and are to give every owner of the dwelling-house notice of the time (being some time not less than one month after the service of the notice) and place at which the question will be considered, and any owner of the dwelling-house is to be entitled to be heard when the question is so taken into consideration.

If upon any such consideration the Local Authority are of opinion that the dwelling-house has not been rendered fit for human habitation, and that the necessary steps are not being taken with all due diligence to render it so fit, or that the continuance of any building, being or being part of the dwelling-house, is a nuisance or dangerous or injurious to the health of the public or of the inhabitants of the neighbouring dwelling-houses, they are to order the demolition of the building.

If any owner undertakes to execute forthwith the works necessary to render the dwelling-house fit for human habitation, and the Local Authority consider that it can be so rendered fit for human habitation, the Local Authority may, if they think fit, postpone the operation of the order for such time, not exceeding six months, as they think sufficient for the purpose of giving the owner an opportunity of executing the necessary works, and if and when the necessary works are completed to their satisfaction, the Local Authority shall determine the Closing and Demolition Orders relating to the dwelling-house.

Notice of an order for the demolition of a building is to be forthwith served on every owner of the building in respect of which it is made, and any owner aggrieved by the order may appeal to the Minister of Health by giving notice of appeal to the Minister within twenty-one days after the notice is served upon him, or where the operation of the order has been postponed for any period within fourteen days after the expiration of that period.

Notice of such appeal must be in the form annexed.

*Procedure on Appeal.*

The procedure on any such appeal is governed by rules\* made by the Minister of Health.

The Acts provide :—

- (a) That the Minister of Health shall not dismiss any appeal without having first held a public local inquiry unless the appellant fails to prosecute his appeal with due diligence.
- (b) That the Minister of Health may, before considering any appeal, require the appellant to deposit such sum to cover the costs of the appeal as may be fixed by the rules.

The sum at present fixed is a sum not exceeding £10.

A Demolition Order does not become operative until either the time within which an appeal can be made has elapsed, without an appeal being made, or in case an appeal is made, the appeal is determined or abandoned.

*Directions for filling up this Form.*

Insert—

<sup>1</sup> Name, residence or place of business, and description, where known, of owner.

<sup>2</sup> Such a description of the dwelling-house as may be sufficient for its identification.

<sup>3</sup> Description of the Local Authority.

<sup>4</sup> The form annexed must be filled up so as to agree with the Demolition Order sealed by the Local Authority.

\* These rules are printed in appendix V.



## FORM No. 17.—(continued).

## COPY\* OF ABOVE-MENTIONED DEMOLITION ORDER.

**Order for Demolition of Building being or being part of a Dwelling-house the continuance of which is a nuisance or dangerous or injurious to the health of the Public or of the Inhabitants of the neighbouring Dwelling-houses.**

## HOUSING ACTS, 1890 TO 1919.

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, in pursuance of the Housing Acts, 1890 to 1919, a Closing Order was made by Us, the \_\_\_\_\_ in respect of the dwelling-house \_\_\_\_\_ and the said Closing Order has remained operative for a period of three months;

And whereas after compliance with the requirements of Sub-section (1) of Section 18 of the Housing, Town Planning, &c. Act, 1909, and upon consideration of the question of the demolition of the said dwelling-house, We, the said \_\_\_\_\_ are of opinion that the continuance of the \_\_\_\_\_ is \_\_\_\_\_

Now, therefore, We, the said \_\_\_\_\_ in pursuance of Sub-section (2) of Section 18 of the Housing, Town Planning, &c. Act, 1909, do order the demolition of the \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(L.S.)

Signature of Clerk of Local Authority \_\_\_\_\_

**Form of Notice of Appeal against an Order for Demolition of a Building being or being part of a Dwelling-house the continuance of which is a nuisance or dangerous or injurious to the health of the Public or of the Inhabitants of the neighbouring Dwelling-houses.**

## HOUSING ACTS, 1890 TO 1919.

(Notice of appeal may be given by filling up and sending to the Minister of Health, either this print, or a copy of it, within twenty-one days after the day on which the notice of Demolition Order was served, or, if the operation of the Demolition Order has been postponed for a period not exceeding six months, within fourteen days after the expiration of that period.)

Full name of appellant \_\_\_\_\_

Full address of appellant \_\_\_\_\_

Full address of dwelling-house affected by the appeal, together with (where the appeal relates to a building being part only of a dwelling-house) such a description of the building as may be sufficient for its identification. \_\_\_\_\_

I, the undersigned, being an owner of the above-mentioned dwelling-house, hereby appeal against an order for demolition of <sup>1</sup> the said dwelling-house or <sup>1</sup> the above-mentioned building being part of the said dwelling-house, made by (state name of Local Authority) \_\_\_\_\_

notice of which was served on me on (state date and, if the operation of the Demolition Order was postponed for any period, state the date on which that period expired) \_\_\_\_\_, 19\_\_\_\_.

My interest in the building is (state whether a freeholder, or lessee under a lease the original term whereof was not less than twenty-one years, or mortgagee, or what other interest the appellant has in the building). \_\_\_\_\_

The grounds on which I appeal are \_\_\_\_\_

Signature of Appellant \_\_\_\_\_

Date \_\_\_\_\_

## Note.

The Demolition Order appealed against and also, if possible, the Closing Order, or a copy of them, must be forwarded to the Minister of Health with this appeal.

The Appellant must notify the Local Authority forthwith of any appeal to the Minister of Health.

<sup>1</sup> Strike out the words which are inapplicable.

\* An exact copy of the Demolition Order should be given here.

## FORM NO. 18.

**Form of Notice of Appeal against an Order for Demolition of a Building being or being part of a Dwelling-house the continuance of which is a nuisance or dangerous or injurious to the health of the Public or of the Inhabitants of the neighbouring Dwelling-houses.**

HOUSING ACTS, 1890 TO 1919.

(Notice of appeal may be given by filling up and sending to the Minister of Health, either this print, or a copy of it, within twenty-one days after the day on which the notice of Demolition Order was served, or, if the operation of the Demolition Order has been postponed for a period not exceeding six months, within fourteen days after the expiration of that period.)

Full name of appellant.....

Full address of appellant.....

Full address of dwelling-house affected by the appeal, together with (where the appeal relates to a building being part only of a dwelling-house) such a description of the building as may be sufficient for its identification.

I, the undersigned, being an owner of the above-mentioned dwelling-house, hereby appeal against an order for demolition of <sup>1</sup>the said dwelling-house or <sup>1</sup>the above-mentioned building being part of the said dwelling-house, made by (*state name of Local Authority*) notice of which was served on me on (*state date, and, if the operation of the Demolition Order was postponed for any period, state the date on which that period expired*) , 19 .

My interest in the building is (*state whether a freeholder, or lessee under a lease the original term whereof was not less than twenty-one years, or mortgagee, or what other interest the appellant has in the building*).

The grounds on which I appeal are

Signature of Appellant.....

Date.....

*Note.*

The Demolition Order appealed against and also, if possible, the Closing Order, or a copy of them, must be forwarded to the Minister of Health with this appeal.

The Appellant must notify the Local Authority forthwith of any appeal to the Minister of Health.

<sup>1</sup> *Strike out the words which are inapplicable.*

## FORM NO. 19.

**Form of Order postponing Operation of Order for Demolition of a Dwelling-house.**

HOUSING ACTS, 1890 TO 1919.

To<sup>1</sup> , owner of the dwelling-house<sup>2</sup>

Whereas on the day of , 19 , We, the<sup>3</sup> made an Order for the demolition of the above-mentioned dwelling-house ;

And whereas<sup>4</sup> an owner of the said dwelling-house, has now undertaken to execute forthwith the works necessary to render the said dwelling-house fit for human habitation, We, the said<sup>3</sup>

in pursuance of Sub-section (3) of Section 18 of the Housing, Town Planning, &c. Act, 1909, do hereby postpone the operation of the said Order for a period of\* from the date of the said Order.

Dated this day of , 19 .

(To be sealed with the common seal of the Local Authority.)

Signature of Clerk of Local Authority.....

*Directions for filling up this Form.*

Insert—

<sup>1</sup> Name, residence or place of business, and description, where known, of owner.

<sup>2</sup> Such a description of the dwelling-house as may be sufficient for its identification.

<sup>3</sup> Description of the Local Authority.

<sup>4</sup> Name, residence or place of business, and description, where known, of the owner who undertakes to execute the necessary works.

\* The time must be such time, not exceeding six months, as the Local Authority think sufficient for the purpose of giving the owner an opportunity of executing the necessary works.



Form of Order determining Closing and Demolition Orders.

HOUSING ACTS, 1890 to 1919.

To<sup>1</sup>  
house<sup>2</sup>

, owner of the dwelling-

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
in pursuance of the Housing Acts, 1890 to 1919, a Demolition Order was made by Us the<sup>3</sup>  
in respect of the above-mentioned dwelling-house ;

And whereas the works necessary to render the said dwelling-house fit for human habitation have  
been completed to our satisfaction ;

Now, therefore, We, the<sup>3</sup> \_\_\_\_\_ do hereby  
determine the Closing and Demolition Orders relating to the dwelling-house.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(To be sealed with the common seal of the Local Authority.)

Signature of Clerk of Local Authority \_\_\_\_\_

*Directions for filling up this Form.*

Insert—

- <sup>1</sup> Name, residence or place of business, and description, where known, of owner.
- <sup>2</sup> Such a description of the dwelling-house as may be sufficient for its identification.
- <sup>3</sup> Description of the Local Authority.

Given under the Official Seal of the Minister of Health, this Tenth day of October, in the year  
One thousand nine hundred and nineteen.

L.S.

I. G. GIBBON,  
Assistant Secretary, Ministry of Health.

## APPENDIX V.

THE HOUSING ACTS (APPEAL PROCEDURE) RULES, 1919, MADE BY THE MINISTER OF HEALTH WITH REFERENCE TO PROCEDURE ON APPEALS UNDER SECTION 39 OF THE HOUSING, TOWN PLANNING, &c., ACT, 1909.\*

THE MINISTER OF HEALTH, under the powers conferred on him by Section 39 of the Housing, Town Planning, &c., Act, 1909, and all other powers enabling him in that behalf, hereby revokes the Rules with reference to appeals made by the Local Government Board on the 11th day of January, 1910, and makes the following Rules :—

ARTICLE I.—These Rules may be cited as “The Housing Acts (Appeal Procedure) Rules, 1919.”

ARTICLE II.—(1) An appeal to the Minister of Health under Part I. of the Housing, Town Planning, &c. Act, 1909, shall be made by sending to the Minister a notice of appeal in the form prescribed by the Housing Acts (Form of Orders and Notices) Order, 1919, signed by the appellant or by his duly authorised agent, together with the original notice, order, or demand appealed against or a true copy thereof.

(2) The appellant shall notify the local authority forthwith of any appeal to the Minister of Health.

(3) The appellant shall send to the Minister either with his notice of appeal, or within fourteen days thereafter, a concise statement in writing of the facts and contentions on which he relies.

(4) The appellant shall deposit with the Minister within fourteen days from the date of his notice of appeal the sum of ten pounds, provided that the Minister may, if he thinks fit, require the deposit of a less sum than ten pounds or may dispense with the deposit.

ARTICLE III.—The Minister shall, as soon as may be after receipt of the statement aforesaid, send to the local authority a copy of the notice of appeal and of the said statement.

ARTICLE IV.—The local authority shall, within ten days after the receipt by them of the said notification, inform the Minister whether and to what extent they admit the facts stated in the appellant's documents, and shall send to the Minister a concise statement of the facts and contentions on which they rely.

ARTICLE V.—(1) The Minister may at any stage of the proceedings allow the amendment of any notice, statement, or particulars on such terms as he may think fit.

(2) The Minister may at any time require the appellant or the local authority to furnish in writing such further particulars as he may think necessary.

ARTICLE VI.—The Minister shall not dismiss any appeal without having first held a public local inquiry, unless the appellant has failed to prosecute his appeal with due diligence, in which event the Minister may determine the appeal summarily.

ARTICLE VII.—The costs of any appeal, including the costs of any public local inquiry held in connection therewith, shall be in the discretion of the Minister, who may direct to and by whom and in what manner those costs or any part thereof shall be paid and may tax or settle the amount of costs to be so paid or any part thereof.

ARTICLE VIII.—The Minister may, if he thinks fit, and subject to such conditions as he may impose, proceed with the consideration of any appeal notwithstanding, any failure or omission by any person to comply with any of the requirements of these Rules.

Given under the Official Seal of the Minister of Health, this Tenth day of October, in the year One thousand nine hundred and nineteen.

L.S.

I. G. GIBBON,  
Assistant Secretary, Ministry of Health.

\* These rules have been placed on sale, and copies of them may be obtained, either directly or through any bookseller, from His Majesty's Stationery Office at the following addresses :—Imperial House, Kingsway, London, W.C. 2 ; 28, Abingdon Street, London, S.W. 1 ; 37, Peter Street, Manchester ; and 1, St. Andrew's Crescent, Cardiff.



## APPENDIX VI.

*Model Byelaws, Series xiiib (Section 26, Housing, Town Planning, &c., Act, 1919).*

*(It will save time if any local authority desiring to make byelaws on this subject will in the first instance apply to the Ministry in a separate letter for draft forms, &c.)*

## BYELAWS.

made by the<sup>1</sup>

with respect of HOUSES intended or used for occupation by the working classes and let in lodgings or occupied by members of more than one family in<sup>2</sup>

## Interpretation of Terms.

1. In these byelaws, unless the context otherwise requires :—

“ Council ” means the<sup>1</sup>

“ District ” means the<sup>2</sup>

“ Lodging-house ” means a house or part of a house intended or used for occupation by the working classes and let in lodgings or occupied by members of more than one family :

“ Lodger ” means a person to whom any room or rooms in a lodging-house may have been let as a lodging or for his use and occupation.

“ Occupier ” means the person by whom or on whose behalf a lodging-house is let in lodgings or for occupation by members of more than one family or who, for the time being, receives or is entitled to receive, whether on his own account or as agent or trustee for any other person, the profits arising from such letting.

“ Owner ”<sup>3</sup> means the person for the time being receiving, whether on his own account or as agent or trustee for any other person, a rack-rent within the meaning of the Public Health Act, 1875, from an occupier or who would so receive that rack-rent if the lodging-house were let to an occupier.

## General.

2. No proceedings shall be taken against any person for an offence against any of the byelaws numbered<sup>4</sup> 6, 10, 14 to 16, both inclusive, 19 and 20, unless and until a notice in writing has been served upon him by the Council requiring him within a period specified in the notice to comply with the byelaws and he has failed to do so.

3. A person shall not let for occupation by members of more than one family any lodging-house which does not comply with these byelaws.

Provided that in the case of a house so let or occupied at the date of the confirmation of these byelaws, any byelaw which renders necessary the execution of any works shall not apply until the expiration of three months from the date of confirmation.

4. Nothing in the following byelaws shall be deemed to dispense with any requirements in byelaws or statutory provisions regulating the erection of new buildings or the alteration of existing buildings.

5. Any notices required or authorised by these byelaws to be given to any person may be served personally or by registered letter addressed to his usual or last known residence or place of business.

**For fixing the number of persons who may occupy a house or part of a house which is let in lodgings or occupied by members of more than one family.**

6. A person shall not knowingly permit any room in a lodging-house wholly or partly used as a sleeping apartment to be occupied at any one time by a greater number of persons than will allow *three hundred and sixty* cubic feet of free air space for each person of an age exceeding ten years, and *two hundred and fifty* cubic feet of free air space for each person of an age not exceeding ten years.

**For the registration and inspection of such houses.**

7. Where the Council by a notice in writing signed by the \_\_\_\_\_ require for the purposes of registration the particulars hereinafter specified the occupier shall within the period, if any, specified in the notice furnish such particulars, namely :—

(a) The total number of rooms in the house ;

(b) The total number of rooms let in lodgings or occupied by members of more than one family ;

(c) The dimensions and manner of use of each room ;

(d) The number, age, and sex of the occupants of each room used for sleeping ;

(e) The full name of the person to whom each room is let ;

(f) The name and address of the owner of the house.

<sup>1</sup> “ Mayor, aldermen, and burgesses of the borough of \_\_\_\_\_ or “ Urban [or Rural] District Council of \_\_\_\_\_ ” as the case may be.

acting by the Council ” ;

<sup>2</sup> Insert name of borough or urban or rural district.

<sup>3</sup> Section 26/19 provides that the byelaws may impose the duty of executing any work upon the owner, within the meaning of the Public Health Acts, or any other person having an interest in the premises, and that where a lessee carries out work under the byelaws and it is reasonable that the whole or any part of the expenses should be borne by the lessor, the County Court may, on the application of the Local Authority, grant an order charging the expenses on the premises. The County Court may also on the application of the Local Authority relax any provisions in a lease which are inconsistent with the requirements of the byelaws. For the meaning of “ owner ” and rack-rent in the Public Health Act, 1875, see page 52.

Local circumstances should be taken into consideration in determining on what person any particular obligation should be imposed by the byelaws.

<sup>4</sup> The printed numbers, or such numbers as correspond to them, should be inserted.

8. Every person residing in a lodging-house shall, at all reasonable times when required by the Medical Officer of Health, the Inspector of Nuisances, or the Surveyor of the Council, afford such officer free access to the interior of the premises and to the interior of any room or rooms let to him.

9. A person shall not wilfully delay or obstruct any officer of the Council who had lawfully entered any lodging-house for the purpose of inspecting the premises, or, without reasonable excuse, neglect or refuse to render him such assistance as he may reasonably require for the purpose of inspection.

**For enforcing drainage and promoting cleanliness and ventilation of such houses.**

**For securing the adequate lighting of every room in such houses.**

10. Every owner of a lodging-house shall at all times :—

- (a) Keep in good order and condition all drains and means of drainage, and every water closet, sink and bath.
- (b) Provide and maintain in connection with every tap from which water may be drawn efficient means for carrying off any waste water from the tap.
- (c) Provide every habitable room of the house with a window or windows opening directly into the external air and having where practicable a total area, exclusive of the sash frames, equal at the least to one-tenth of the floor area of the room, and capable of being opened at the top and to at least one-third of the extent of the window.
- (d) Provide every water closet in the house with efficient means of ventilation directly into the external air, and with a window of an area of not less than two square feet exclusive of the sash frame, opening where practicable directly into the external air.
- (e) Provide and maintain adequate means of ventilation for every room, passage or staircase,

11. Every occupier of a lodging-house shall :—

- (a) Keep thoroughly clean and wholesome every common staircase, landing and passage, and every cistern or other receptacle for the storage of water supplied to the premises;
- (b) Keep thoroughly clean and wholesome all beds, bed-clothes, and bedding furnished by him ;
- (c) After the termination of the letting of any room therein to any lodger and before the room is occupied by any other lodger, thoroughly cleanse the floor of the room and so far as may be necessary every part of the premises and the fittings or appliances which has been exclusively used by the first-mentioned lodger and will be exclusively used by the succeeding lodger.

12. Every lodger in a lodging-house shall :—

- (a) Every day before the hour of *two o'clock* in the afternoon remove all filth and refuse from every room which has been let to him and thoroughly cleanse every receptacle which has been used for filth or refuse ;
- (b) Keep thoroughly clean and wholesome every staircase, landing and passage to the exclusive use of which he is entitled ;
- (c) Keep thoroughly clean every window, fixture or fitting, and all paint, in every room let to him ;
- (d) Keep thoroughly clean and wholesome all beds, bedclothes and bedding belonging to and used by him or any member of his family ;
- (e) Keep open for at least *one hour* in the day every window of every room let to him and used as a sleeping apartment, unless reasonably prevented by the state of the weather or any other sufficient cause ;
- (f) Keep thoroughly clean and wholesome the floor of every room let to him.

13. A lodger in a lodging-house shall not keep or permit to be kept any animal in any room let to him or elsewhere upon the premises in such manner as to render the room or premises filthy or unwholesome.

**For requiring provision adequate for the use of and readily accessible to each family of—**

- (i) closet accommodation ;
- (ii) water supply and washing accommodation ;
- (iii) accommodation for the storage, preparation and cooking of food ;

and, where necessary, for securing separate accommodation as aforesaid for every part of such house which is occupied as a separate dwelling.

14. Every owner of a lodging-house shall provide, adequate for the use of and readily accessible to each family by whom any part of the house is occupied :—

- (a) Water closet accommodation ;
- (b) A supply of water for domestic use ;
- (c) Accommodation for washing clothes ;
- (d) Accommodation for the storage of food in a reasonably cool position with proper ventilation from the external air wherever practicable and with protection from dust and flies ;
- (e) Accommodation for the preparation and cooking of food.

And, where necessary, separate accommodation as aforesaid for every part of the house which is occupied as a separate dwelling.

**For the keeping in repair and adequate lighting of any common staircase in such houses.**

15. Every owner of a lodging-house shall :—

- (a) Keep every common staircase in the lodging-house in a state of good repair ;
- (b) Wherever practicable provide every common staircase with adequate means of lighting by natural light, including, in the case of a new building constructed for use as a lodging-house, a window or windows on the staircase at each storey opening directly into the external air ;
- (c) provide and keep efficient adequate means for the artificial lighting of every common staircase.



**For securing stability and the prevention of and safety from fires.**

16. Every owner of a lodging-house shall carry out such works as may from time to time be necessary for securing that the house shall be throughout of adequate stability.

17. A person erecting a new building intended to be used as a lodging-house shall construct of incombustible material every wall, the floor of every room above the ground floor, and, if the building comprises more than two storeys above the ground level, every landing and the floor of every corridor or passage.

✻ Provided that any such floor or landing may be constructed of timber if all the spaces between the joists are filled in with good concrete, pugging, or other solid and incombustible material at least three inches thick, and the underside of the floor or landing is completely covered with a sufficient thickness of good plaster or other suitable incombustible material properly fixed.

18. Every occupier of a lodging-house shall cause every flight of stairs, passage and other means of escape in the house to be kept free from obstruction, and every door in connection with such means of escape to be so fitted that it can be readily opened.

**For the cleansing and redecoration of the premises at stated times, and for the paving of the courts and courtyards.**

19. Every owner of a lodging-house shall :—

- (a) In the month of \_\_\_\_\_ in each year thoroughly cleanse every part of the premises and renew all unclean or unwholesome paint and wall paper or other wall covering ;
- (b) Pave every court and courtyard with impervious pavement sloped to a properly constructed channel leading to a trapped gulley grating so arranged as effectively to carry off all rain or waste water ; and
- (c) At all times keep in good order and proper repair the pavement channel and grating.

**For the provision of handrails, where necessary, for all staircases of such houses.**

20. Every owner of a lodging-house shall cause every flight of stairs in every staircase in the lodging-house to be furnished where necessary with a sufficient handrail or handrails securely fixed.

**Penalties.**

21. Every person who shall offend against any of these byelaws shall be liable for every offence to a penalty not exceeding five pounds and in the case of a continuing offence to a further penalty of forty shillings for each day during which the offence continues after written notice of the offence has been served on him by the Council.

**Repeal of Byelaws.\***

22. From and after the date of the confirmation of these byelaws, the byelaws relating to Houses let in lodgings or occupied by members of more than one family which were made on the \_\_\_\_\_ day of \_\_\_\_\_ in the year one thousand \_\_\_\_\_ hundred, and \_\_\_\_\_ by the \_\_\_\_\_ and were confirmed on the \_\_\_\_\_ day of \_\_\_\_\_ in the year one thousand \_\_\_\_\_ hundred and \_\_\_\_\_ by [the Local Government Board] [one of the Principal Secretaries of State of Her late Majesty, Queen Victoria] shall be repealed.

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*\* If this clause is not included in the series submitted to the Ministry of Health for approval, it should be stated whether or not there are any byelaws in force upon the subject.*

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